

LAW ENFORCEMENT NEWS

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Loose laces on the political track:

LA commissioners trip up Gates in his mayoral run

The Board of Police Commissioners in Los Angeles has denied a leave-of-absence request by Police Chief Daryl Gates, who said he wanted time off to consider running for mayor of the city.

According to a spokesman for the commissioners, the board indicated to Gates that he should put his political ambitions on the back burner and focus his attention on the city's growing violent crime rate, which was led by a 26 percent rise in the annual homicide rate during the closing days of 1980.

"The official reason was, because this is a time of crisis in the city and there are a number of vital programs that need to be implemented, it would be detrimental to the department to be without permanent leadership for the [three-month] period," a commissioners' aide told Law Enforcement News.

In a letter sent to the commission last month, Gates asked that he be given a leave without pay from January 15 to April 19 for the purpose of determining his "availability to become a candidate for public office."

"Approval of this request would not necessarily cause me to seek public of-

fice, as a variety of other factors are involved in my ultimate decision," he wrote, adding that the leave would "assist greatly in my ability to reach a conclusion in this matter."

Apparently, the commissioners' denial has forced the chief to decide whether he wants to leave law enforcement for politics or run as a part-time candidate while putting in a full-time week as chief. One source noted that Gates will make up his mind on the matter by the middle of this month, some time before the January 19 filing deadline.

When Law Enforcement News contacted the LAPD to get a direct reaction from Gates, it was connected with Commander William Booth, the head of press relations, who "answers all inquiries about that question."

"Chief Gates has said that the commission's action has made his decision whether or not to run for mayor a very costly one," Booth observed. "He had asked for the leave so that it would be helpful to him in making that decision."

Some of Booth's observations seemed to indicate that the chief's hat may soon be tossed into the political ring. "He

The day the money died: A university program and a community group bid a not-too-fond farewell to Federal funding. Stories on page 3.

Meet John Doe: U.S. Marshals may soon be changing the identities of businessmen turned witnesses. On page 7.

What's your poison? Jay Robert Nash looks at the arsenic-and-old-lace set. See page 13.

Shooting the breeze with Brzeczek: The Wilson tradition, reorganization, unionization. The Chicago chief has a lot on his mind. Interview begins on 8.

thought [a leave of absence] would be the cleanest way to do it, especially when he took into consideration that the governor of the state [Jerry Brown] campaigned for president and it's believed that the mayor [Tom Bradley] will campaign for governor and other politicians — city attorneys — campaigned for state attorney general," the commander stated.

"They all conducted their campaigns while on the public payroll," Booth continued. "He had asked to be able to do it while not on the public payroll. So denying the request has made it a costly proposition."

The commander would not speculate on what Gates meant by "costly," citing the political nature of the matter. "My problem in going any farther afield, other

than what his one or two comments have been, is that the issue is relevant to whether or not he'll run for mayor. Of course, that's a little bit outside my scope and I have to be very sensitive to that."

In interviews with the Los Angeles Times conducted shortly before Gates was turned down on his leave request, two of the vice board members brushed aside the politically sensitive nature of their forthcoming decision, despite the fact that commissioners are appointed by the mayor, and Gates is seen by most observers as the only significant opponent for Bradley.

"I'm not concerned about the politics of it at all," Commissioner Samuel Williams said, asserting that it would be a problem for "the chief of police to be

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Looking after the loot



Officer L.E. Dambaugh of Fairfax County, Virginia, keeps an eye on a small portion of the more than 3,200 items found in the home of Charles Welch Jr., a purported super-burglar whom police described as a "one-man crime wave." Welch's crime spree came to an end last month when he killed Dr. Michael Halberstam after the prominent cardiologist returned home and surprised him during a burglary. When the loot was put on display by the Fairfax County force, the number of Welch's victims who laid claim to the booty became so great that officers had to assign numbered tickets to handle the crush.

Photo by John Taylor

Treasury agents buck the banks to better trace drug cash flows

U.S. Treasury officials have put new teeth into enforcement of a law designed to trace the cash flow of major drug dealers, but critics are contending that the regulations will drive bankers as financial institutions scramble to report large currency transactions to the Internal Revenue and Customs Services.

The controversy centers around the 10-year-old Currency and Foreign Transactions Reporting Act, which requires that domestic banks identify to the IRS those customers who transact more than \$10,000 in cash business at a single clip. The law also orders individuals to report when they are taking over \$5,000 in cash out of or into the country and to provide information about their foreign bank accounts.

Last summer, the Treasury Department issued new regulations in an attempt to tighten what it saw as a major loophole in the domestic portion of the mandate. Customs agent Paul Hulsmit of the Currency Investigation Division noted that a reporting gap had resulted from an implicit agreement which allowed banks to forego providing information on large transactions by regular customers.

"It wasn't spelled out, but what they meant by this was retail establishments, such as K-Marts and A&P's, could normally come in with more than \$10,000 cash

on a regular basis," Hulsmit told Law Enforcement News. "Well, as it turns out, a lot of banks had regular customers who were strongly suspected of being dope dealers who regularly brought in large quantities of cash. This was a loophole because they weren't making reports on these people. So that was tightened up."

Several members of Congress would like to tighten a few legislative nuts and bolts in the act so that it could provide a more direct audit trail to narcotics traffickers.

The oversight subcommittee of the House Banking Committee, headed by Rep. Joseph G. Minish (D-New Jersey), has been pushing for more detailed transaction reporting for the past year.

"Since large amounts of cash are essential to the illegal drug business," Minish stated recently, "there is a consensus that if these laws can be enforced vigorously the end result will be the exposure of the drug dealers and the legitimate businesses in which they hide their illegal profits."

But several Federal banking administrators have expressed doubts that tightening the law would produce more victories in the anti-drug battle. John E. Ryan, head of the banking supervision division of the Federal Reserve System, recently told the subcommittee that both monitoring and enforcement of the act

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NBS calibrator to clear airways of anti-arson sniffers

Arson detection devices designed to sniff out the cause of a fire may soon get their noses sharpened through the use of a new calibration unit developed recently by the National Bureau of Standards.

Portable vapor detectors have been used by arson investigators for the past several years, sampling the air at a fire scene for flammable vapors after the blaze has been extinguished. The sensing devices produce a signal indicating the presence of hydrocarbon vapors which evolve from such common arson accelerants as gasoline, kerosene and paint thinner.

As the result of the new NBS breakthrough, known as the combustible vapor generator, the detecting tools can now be calibrated to exact standards. Detectors that are found to be contaminated or otherwise insensitive to accelerant vapors will be pulled from service and repaired.

Dr. Merritt Birky, director of the combustion toxicology research group at the NBS Center for Fire Research, noted that the device was developed by adapting technology used in air pollution monitors. The new instrument generates a standard sample of hydrocarbon vapor using substances similar to the aromatic hydrocarbons found in gasoline.

"These compounds should cover the basic accelerants arsonists most frequently use," observed James E. Brown, a research chemist, who added that the key to the system involves controlling the amount of gas released by the generator.

The scientist pointed out that the device can assess a detector's sensitivity to low, medium and high levels of hydrocarbon vapor through two control systems. "We can vary the temperature at which the hydrocarbon sample is maintained in its liquid state, which determines its vapor pressure," he said. "Or we can vary the diameter and length of the tube through which the vapor must diffuse. The longer and thinner the tube, the less the amount of vapor generated."

In a follow-up project, NBS researchers will use the device to rate several different detectors that are commercially available. Data produced by the experiments should help police and fire investigators understand the performance limitations of their commercial sniffers, make the device's results more reliable, and aid in NBS's development of a performance standard for the vapor detectors.

Photographic guide tells cops how to watch the birdie

Police administrators who are looking to upgrade their forces' photographic capabilities will get a sharper picture of the field through a new handbook published by the National Bureau of Standards.

Titled "Selection and Application Guide to Police Photographic Equipment," the volume is designed to help enforcement and procurement officials who are not technically trained in photography to choose and operate equipment that is relevant to their department's needs.

The book emphasizes that nearly every sector of policing can make use of photography as documentation, evidence, a training aid, or to produce public education material. "Law enforcement photography probably encompasses a broader range of specialized photographic skills than any other recognized branch of the photographic

profession," the guide states.

In 65 illustrated pages, the handbook outlines typical photographic assignments, such as crime scene, physical evidence, identification and surveillance, examining the corresponding types of photos required. It also explores special problems and specific techniques to solve them as related to cameras, lenses, film, exposure meters, lighting equipment, and accessories.

Prepared by the Naval Surface Weapons Center for NBS under the sponsorship of the National Institute of Justice, the guide can be obtained for \$3.75 by writing: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402. The stock number is 003-003-022241.

New data power in Houston to drive a manpower-short force

The Houston Police Department is about to plug into one of the most sophisticated computer systems in American policing, a \$3 million Sperry Univac that will be programmed to fill virtually every aspect of the force's data needs.

Consisting of a Model 1100/82 large-scale processor, 270 visual display terminals and 130 printers, the data network will be capable of processing an average of 15,000 transactions hourly.

When linked to Federal and state crime information centers, the system will churn out on-line offense data, vehicle accident information, criminal history wants and warrants, police personnel records, and data on bicycles and towed or stolen vehicles.

In addition, the 3,000-officer Houston force plans eventually to use the new electronic hardware for computer-aided dispatching, jail bookings, a burglar alarm network, and a property inventory system.

Louisiana sheriff sets the net for taking down drug users

The sheriff of Jefferson Parish, Louisiana, has come up with a new system for netting hostile suspects, devising a two-man rope and net trick for his deputies to harmlessly take down violent individuals.

Describing the device to the New Orleans *Times-Picayune* recently, Sheriff Harry Lee indicated that the man-sized net is weighted around its edges, which are bound by a rope. Every supervisor on the force carries one of the devices in his patrol car so that a net is always available to toss over the head of violent, deranged or drugged suspects.

Lee noted that the system is particularly useful against users of the drug PCP, allowing his men to sweep the fortified angel dusters off their feet without the need for excessive contact.

"One night we played the 'Star-Spangled Banner' on the side of some guy's head and he still wouldn't go down," the sheriff recalled.

An agency spokesman observed that if the net is deployed properly, the target is rendered helpless. "Once the subject is in the net, he will be immobile, due to a rope which will be wrapped around the subject's legs. It is impossible for anyone to break out of this net or stand up while in it."

An apparent advantage to Lee's net is that it can be deployed by only two officers. However, a recent demonstration of the Jefferson Parish snare revealed a flaw in its design. In one practice toss, the net was not cast accurately and the suspect was left free to wander.

Whatever the inherent disadvantages,

police use of toss nets may be on the upswing, as departments seek alternatives to the use of deadly force in specific situations. Lee noted that other agencies in Louisiana are thinking of snaring his concept, which he said came to him while he was sitting in a coffee shop one night.

99 and 44/100 percent pure: Jacksonville cleans up porn

Law enforcement officials in Jacksonville, Florida, believe they have found the formula for keeping organized pornography rings out of their city, having recently shut down the last skin-flick emporium there.

"We're in pretty good shape right now," a sheriff's department spokesman noted. "We've gotten rid of the last major place that specialized in hardcore pornography and illicit sex. There is one local operation with no outside ties that still sells lewd magazines, but that's about it through Duval County and the city of Jacksonville."

The spokesman, Mike Gould, told Law Enforcement News that the anti-porn campaign was directed against organized out-of-state operations. "We've had two major pushes," he said. "One was here in the last year when we got rid of Larry Flynt [the founder of *Hustler* magazine] and his little group. Then there was the operation we had over the last day or so: we got rid of the Ellwest Stereo Theater which was run by a group out on the West Coast."

Deputies cut the volume on the Stereo group by working with the State's Attorney's Office to obtain a sampling of materials that were sold and presented at the Ellwest outlet. Prosecutors brought the movies to court, where a jury of Jacksonville residents judged them to be obscene.

"This is what the Supreme Court rules as being the dividing point," Gould

observed. "If it's obscene by the standards of your community, then it's obscene."

The second part of the case, according to Gould, involved applying the state's racketeering influence (RICO) statute to the anti-pornography standard. "You get three or more people who have conspired to bring obscene materials into the State of Florida and have conspired to sell it. If you can show that there is a conspiracy, that they are organized to violate state laws, then we can indict them under the RICO statute. First, we establish what obscene is, then we establish that these people are conspiring to violate the state statutes."

Gould attributed the success of the porn clean-up to "hand-in-glove" cooperation between his department and state prosecutors. "We made sure that we prepared the kinds of cases that would hold up in court."

Asked about recent news reports which heralded Jacksonville as the only major American city free of pornography, the spokesman responded, with tongue planted firmly in cheek, "We're 99 and 44/100 percent pure, just like Ivory Snow. We're the cleanest, most outstanding community in the entire Southeast."

However, Gould did agree that Jacksonville succeeded in an area where many other municipalities have failed. "We've been working at it, working hard at it. It was not just a situation where the police were working from one angle and nobody else was cooperating."

In addition to cooperation from the State's Attorney, the sheriff's office had strong political and civic backing, particularly from several local religious groups. "We had picketing that went on, but the basic support was that people wanted the sheriff's office to go ahead and get this done," Gould said. "They supported us when we assigned personnel to the effort and let us do our job."

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SUNY program not sunny after Feds pull out

The first sign of fallout from the budget blast that destroyed LEAA was detected last month in Albany, New York, where the State University of New York (SUNY) announced that it is dismantling its programs for minorities in criminal justice due to a lack of Federal funding.

Donald J. Newman, dean of the university's School of Criminal Justice, indicated that while the three minority-oriented projects had been praised by President Carter and Justice Department officials, the government has provided only enough funds to keep the grants in operation until June.

"For several years we had tried to recruit minority graduate students and train faculty from black colleges, but we never had the funds," Newman said. "We finally received the grant, and now the rug is being pulled out from under us."

In an interview with Law Enforcement News, Newman explained that two of the projects — an effort to develop criminal justice programs with a minority perspective for predominantly black colleges, and a monograph series dealing with minority issues in criminal justice — will bear fruit before the funding vine dries up. "The curriculum is accomplished, and the monograph series is accomplished,

indeed," he observed.

The third grant, which provides fellowships to blacks and Hispanics who are pursuing graduate study in criminal justice, has also produced some positive results. "We have graduated, at the master's-degree level, over 30 students last year," Newman stated. "We have no Ph.D's up, but we have nine in now and we'll have 11 in progress at the end of this year."

SUNY had received planning funds to blueprint where additional money would go to continue the programs through 1981. Now, however, the strategy dollars are being employed to close out the monograph and curriculum efforts.

Newman indicated that there is some hope for the continuation of the fellowship campaign. "We've created a minority center and we're searching for additional funds to continue the fellowship-supported students from private sources," the dean noted. "Other than that, the programs crashed to a close."

At least one Federal official is cheering Newman's effort to keep part of his program alive. "If Federal, state or local financial support is not forthcoming, many promising minority students will find

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Seeking refuge from a crime rise. . .

Florida troopers fill manpower gap in Miami/Dade

Undermanned police forces in Miami/Dade County, Florida, received Christmas relief last month in their fight to turn the corner on the area's escalating crime rate, as city and county officials wrangled an extra 100 highway patrol troopers from the state while implementing emergency crime prevention measures.

Describing the situation as a "crisis," which was blamed in part on an influx of Cuban refugees, State Senator Bob McKnight noted that he helped in the appeal for the beefed-up trooper complement because "it's time to act."

Dade County Commissioner James F. Redford told the Associated Press that the state enforcers are needed only temporarily, until the county and local municipalities have time to train new officers. An official announcement stated that the troopers will remain in the area for at least 30 days, beginning on December 15 and may be held over an extra month.

"We want to get those bodies in uniform on the street," Redford said. "That's what we think will deter crime."

The commissioner pointed a finger at 90,000 refugees, some with criminal histories, who have settled in the area, indicating that the refugee tide caught undermanned Dade law enforcement agencies on the beach.

Bill Talbert, the executive assistant to the Dade County manager, noted that the county has 340 vacancies on its police force, while Miami is shorthanded by about 200 patrolers. He said that the troopers will be used in traffic assignments to free local forces for crimefighting duties.

Seventy of the state lawmen are being assigned to the Dade County Public Safety Department, and the remaining 30 are working under the Miami force's command.

The incoming highway patrol personnel saw some changes in the city's operating procedures as they moved in

on the scene. City officials recently approved a multifaceted plan to fence city parks and close them at sunset, as well as shutting down violence-prone bars and hiring an extra city attorney to prosecute vagrants.

While critics of the plan indicated that the city is going into a defensive shell with the new measures, Mayor Maurice Ferre asserted that the commission's moves would meet the problem head on. "This is not an admission of defeat," he said. "It's a recognition of a fact of where we live."

The plan does have several apparent flaws, however. While the city plans to revoke the occupational licenses of bars where violent crimes frequently occur, under current ordinances it can base such revocations only on relatively petty violations, including serving liquor to minors or to drunks.

"This is all the city has power to do," one commissioner said in proposing the measure.

Commenting on another part of the package which would assign an extra lawyer to the State Attorney's Office to prosecute violators of the city's loitering and vagrancy laws, Mayor Ferre noted "I'm sure the state attorney will welcome the help."

But the move was not welcomed by Jack Sullivan, president of the Miami chapter of the Fraternal Order of Police. He contended that the crucial enforcement issue in the county is finding space to jail vagrants and loiterers once they are arrested.

The dilemma in corrections is not expected to be solved quickly since Dade facilities are already overcrowded and the Federal Government has sued the county to reduce the inmate population in the Dade County jail. "The revolving door is tremendous," Sullivan noted. "For every one you arrest, two are set free."

As another part of the package, the commission incorporated state loitering and stop-and-frisk laws into city statutes. Ferre acknowledged that state misdemeanor laws are automatically part of the city code, however. "This may be superfluous," he said, "but it sets a policy."

The price of the state/county/city anti-crime offensive will be anything but superfluous. State officials estimated that a full 90-day operation involving the 100 extra troopers would cost \$890,720. Dade County has agreed to pay \$300,000 and the City of Miami has committed \$150,000, leaving the state to pick up \$440,720 of the total tab.

While the estimated cost for fencing Miami's parks has not been made public, it was reported that the special vagrancy prosecutor would have a combined budget and salary of \$50,000 to \$70,000 a year.

Money is also an issue behind a manpower shortage within the state highway patrol. The patrol's commander, Col. Eldridge Beach, noted that the depart-

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Battling over the last of the beans in Boston:

City scrapes bottom of the LEAA barrel

Boston officials and leaders of a citywide citizens group last month tussled over what may be the last major influx of LEAA funds to the city, with community leaders charging that Mayor Kevin White has thrown a bucket of cold water over their anti-arson offensive.

Andrea Dacko, the president of Boston Fair Share, told reporters that her group had successfully landed a \$250,000 grant from LEAA to implement a massive arson-watch project. She noted, however, that the money would not be forthcoming because the mayor's assistant for public safety, Stephen Dunleavy, advised his boss not to approve the grant application.

Outlining the administration's position to the Boston *Globe*, Dunleavy indicated that the Fair Share grant would have deprived 11 smaller community groups of a their own fair share, since each city is limited to \$500,000 from the remaining LEAA funds.

The administrators noted that the 11 groups, mostly tenant associations and councils, had asked for about \$50,000 each and the mayor's office had sent their applications to LEAA. Meanwhile, Fair Share leaders came in with their request

for half of the potential grant money a few days before the filing deadline last May. Dunleavy said the application was denied because it would have meant the neighborhood groups would have gotten only half the money they requested.

Fair Share publicized its funding plight at a press conference which was held in front of three recently burned buildings. The setting was a neighborhood known as Murray Court, where group officials claim half the buildings are uninhabitable due to fires.

Commenting on the need for an effective anti-arson effort in the area, Elaine Cogswell, president of the East Boston Fair Share, pointed to the community's growing apprehension. "People live in fear in East Boston," she said. "I live here and I am afraid for my life."

Dacko took a more political tack, noting that her group is particularly angry with Mayor White because he had met with Fair Share leaders in September to pledge his support in their fight against arson.

The community leader also took Dunleavy to task for telling her organization that he had vetoed its grant because he wanted to pool the Federal funds in the

Boston's Justice Resource Institute (JRI).

"Dunleavy's excuse is completely phoney," Dacko asserted. "The mayor must know that JRI won't get an extra penny by destruction of the Fair Share program. The only issue is whether Dunleavy is trying to help build the mayor's political machine in the neighborhoods by making sure that money for the crucial arson prevention program sponsored by Fair Share goes back to Washington."

Another Fair Share leader, Allan Jones, noted that the group's anti-arson effort would have monitored the condition and status of buildings owned by absentee landlords and checked to see whether empty and dilapidated buildings were being heavily insured. Insurance fraud is considered to be the prime motive behind most arsons.

The Fair Share effort also would have tried to get the city to take over abandoned buildings whose owners are behind in their taxes, while refurbishing the empty dwellings and moving tenants into them.

"We have an active housing program."

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People & Places

Chicago cops cited for community action

The Chicago Crime Commission recently presented its 1980 Award of Merit to two of the city's local lawmen who have managed to clean up their respective beats through individual acts of innovation and positive community relations.

The award, which according to the commission is "designed to recognize the unsung heroes in our community," was bestowed on Patrolman Jack Johnson and Sergeant Hosea Crossley for being "a decisive factor in diverting people from criminal acts."

Johnson, 42, is credited with getting truants back to school in his territory by persuading local businessmen to post signs which read: "No truant students allowed in this store during [school]

hours." He was also cited as "one of South Chicago's leading social workers," for his work in counseling juveniles who are headed for trouble and routinely steering them to appropriate community service organizations.

Crossley, 33, who supervises the night shift of the Chicago Housing Authority detail in some of the city's toughest neighborhoods, has become an expert in defusing tension among youth gangs.

"Since Sergeant Crossley has been here, gang activity has gone down," one community leader said. "He doesn't approach them with a stick or a gun. He just walks up and talks to them. He does not play with them at all. Young people here have a lot of respect for him."

Trooper turns fireman turns lifesaver

Maryland Trooper Barry Janney got a practical lesson in fire safety recently as he was enjoying an off-duty drink at the College Park Holiday Inn and heard screams of "fire!" from the direction of the kitchen. The lawman swung into an on-duty posture and helped evacuate 250 panic-stricken hotel guests and diners, many of whom had at first thought the fire alarm bell was a prank.

Janney, 23, blacked out at one point during the rescue effort, his chest and nasal hairs were scorched by the flames, and he was hospitalized for a time to be treated for smoke inhalation. But his heroics did not go unnoticed, particularly by one hotel employee who noted that people "could have ended up dead" had it

not been for the trooper's direct action.

A former baseball player in the Philadelphia Phillies organization, the 220-pound policeman recalled that some of the diners were reluctant to leave, convinced that the fire gong was a false alarm. "I almost had to pick them up and carry them out," Janney said.

FDLE gets Greenberg

Reuben M. Greenberg, a veteran police administrator and educator, took over as second in command of the Florida Department of Law Enforcement's standards and training unit earlier this month, working under its newly appointed director, G. Patrick Gallagher.

Greenberg, 36, will be responsible for administrative services within the Division of Police Standards and Training, which is directly responsible for monitoring statewide standards for employment, training and certification of Florida's 19,000 full-time, 4,000 part-time and 9,000 auxiliary police officers.

For the past year, the executive has been serving as chief deputy of the Orange County Sheriff's Department, managing a staff of over 900 employees and a budget of more than \$22 million. The holder of master's degrees in public administration and city planning from the University of California at Berkeley, Greenberg has taught as an assistant professor at both the University of North Carolina and California State University.

FBI man in at Tulsa

Roy Gardner has parlayed his experience as an FBI agent and as a former Federal Housing Administration director in Tulsa, Oklahoma, to win nomination as the city's police and fire commissioner.

The 58-year-old administrator is slated to succeed Jack Purdie, who died Thanksgiving Day of a heart attack while returning to Tulsa from a fishing trip in Mexico.

In announcing the nomination last month, Mayor Jim Inhofe noted that Gardner must be approved by the City Commission before taking over the dual public safety roles. He added, however, that Purdie had once recommended Gardner as his successor.

Donell rates a '10'

Law enforcement in Hancock County, West Virginia, is being handled by one of the "10 Outstanding Young Men of America for 1981," according to the United States Jaycees.

The national organization of civic groups recently conferred that distinction on Sheriff Ronald Donell for his undercover work in a successful drive against organized crime and political corruption. The 35-year-old lawman was joined in the top ten by such notables as Alan Page, the lawyer and Chicago Bears defensive end, who works to keep minority youths in school, and Christopher Reeve, the actor best known for his role as Superman, who helps children deal with the stress of broken homes.

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CONTRABAND DETECTION

Explosive detectors, metal detectors, x-ray for luggage and parcels, buried object locators, personnel scanners. Protect passengers, courtrooms and VIPs.

CRIMINALISTICS

Evidence collection, invisible entrapment kits, fingerprint kits, narcotics testers, tota-fit. Extensive line of electronic and chemical investigative aids.



PERSONAL PROTECTION

Offering a full range of body armor, less-than-lethal defense items, anti-ballistic materials, intruder flare, power mite. Your life may be jeopardized. Be prepared.

CROWD CONTROL

Shock batons, helmets, riot shields, protective masks, less-than-lethal defense and dispersement aids. Self-contained, quick to deploy roadblock system.



SECURITY

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≡ SUPREME COURT BRIEFS ≡

By AVERY ELI OKIN



Since the early part of this century, members of the Supreme Court have complained that the nation's highest tribunal suffers from problems of congestion. The situation

arose in part as the result of a constant flood of requests for appellate review made by parties to actions which do not fall within the Court's original or direct appeal jurisdiction.

As early as 1925, Congress acknowledged the problem and acted to give the Court greater control over its docket and discretion in choosing those cases which would be granted review. Congressional action came in the form of authorization for the Supreme Court to use a discretionary writ known as the writ of certiorari.

A writ of certiorari, when granted, requires a lower court to produce a certified record of a particular case for the requesting court. The Supreme Court issues a writ of certiorari to determine if there are any irregularities at the lower court level which require appellate review.

Since the writ of certiorari was authorized as a caseload-control mechanism, only a small percentage of the several thousand cases applying for review each year are granted certiorari. In a typical year only about five percent of the requests are approved.

In all requests for certiorari, the so-called "rule of four" applies. That is, four Justices must agree that the case

presents either a substantial Federal question or a constitutional issue before certiorari is granted.

A dismissal of a case from a writ of certiorari has the legal effect of allowing the holding of the lower court to stand, since the Court has not rendered a decision on the merits.

Ordinarily, when the Court determines that certiorari should not be granted in a particular case, a dissenting opinion is not written, inasmuch as the merits of the case have not undergone the Justices' scrutiny. However, in rare situations, when significant constitutional questions are sidestepped, an individual Justice may be moved to highlight the Court's failure to address the issue.

Such was the situation last month, when Justice Marshall noted the Court's apparent resistance to dealing with the question of the Fourth Amendment rights of minors. An analysis of the dissent as well as other action taken by the Court follows.

Arrest of Minors

In an impassioned plea which took the form of a dissent to a denial of certiorari, Justice Marshall urged his colleagues to address the question of whether a constitutional violation occurred when a minor was arrested, based purely on the consent of his mother, with neither a warrant nor probable cause.

The case arose on March 8, 1979, when an investigator of the Los Angeles Police Department informed two of his subordinates that the mother of a 13-year-old had informed him that she would bring the minor to the police station but had

failed to do so. The previous day the mother had told the investigator that she thought her son had been involved in a burglary.

At the investigator's urging, two officers, armed with neither a warrant nor any evidence to support the mother's assertion that her son had been involved in a crime, went to the mother's house. Upon arrival, the officers were invited into a bedroom where the mother was lying awake in bed.

After informing the mother of the reason for the visit, she was questioned as to why she had failed to bring her son to the police station. The mother informed the officers that her car had broken down and that it was still not working. In response to the question of where her son was, the mother pointed out her son, who was asleep in another bed in the same room.

According to the statement of facts relied upon by the lower courts, the officers then asked the mother when she would be able to bring her son in. Her response was: "Well, you officers are here. You can take him down." She further told the officers that she was having trouble with her 13-year-old son and wanted to know if he had been involved in the burglary, since she would notify his probation officer if he had been.

The record indicates that the mother then told her son to get up and get

dressed since the police officers were waiting for him. The minor left the house with the officers, was placed in handcuffs and was transported to the police station, where Miranda warnings were given. After indicating that he understood the warnings, the minor waived his rights and confessed to the burglary.

Shortly thereafter, a petition was filed in juvenile court charging the minor with burglary in violation of Section 459 of the California Penal Code. A motion to suppress the confession as the fruit of an illegal arrest was denied by the juvenile court. The court ordered the minor removed from the custody of his mother, and imposed a maximum period of two years for physical confinement.

The judgment of the juvenile court was affirmed by a divided California Court of Appeal. Despite the fact that there was no proof to establish that the minor had agreed to accompany the officers to the station, a majority of the members of the appellate court, relying on a line of California cases, "acknowledged the supervisory authority and control of parents over their children." The appellate court concluded that no constitutional violation had occurred since both the police officers and the minor complied with the mother's request that the boy be taken to the police station for questioning.

Continued on Page 7

Recent pay hike said to spell no relief for Federal judges

A recent Supreme Court action which boosted the salaries of Federal judges by almost 23 percent may be a case of too little, too late, according to the head of a judicial study panel who predicted "an upsurge of resignations" by U.S. jurists as the result of low pay scales.

In an interview with the New York Times last month, Judge Irving R. Kaufman, chairman of a United States Judicial Conference committee that has been studying the wage issue, noted that the judges who do stay would continue to be plagued by severe morale problems and a "feeling of betrayal."

Kaufman, the former Chief Judge of the United States Court of Appeals for the Second Circuit, also predicted that a greater number of top attorneys would pass up judicial service unless Congress votes substantial raises for judges this year. "The continuing suppression of Federal judicial compensation just has to lead sooner or later to a decline in the quality of the judiciary," the judge noted.

The Supreme Court decision effectively raised the salaries of Federal district judges from \$54,500 to \$67,000 by reimplementing two cost-of-living increases for the jurists which had been set aside by Congress. The Justices ruled that lawmakers had violated the Constitution's command that the wages of judges "shall not be diminished during their continuance in office."

However, the ruling was only a partial victory for the financially-strapped magistrates. The Court stated that the judges were not constitutionally entitled to annual cost-of-living increases under a

1975 law and held that Congress could block such raises if it does so before they take effect.

Kaufman's warnings of what he called a "crisis" caused by inadequate judicial salaries were echoed by bar association leaders, businessmen and former judges in recent testimony before the Commission on Executive, Legislative and Judicial Salaries. The day after the Supreme Court decision was handed down, the panel recommended to President Carter that the salaries of Federal district judges be increased to \$85,000.

In a series of related recommendations, the commission urged pay hikes to \$90,000 for Federal appellate judges, \$115,000 for Associate Justices of the Supreme Court and \$120,000 for the Chief Justice of the United States. The total package of proposals would represent increases of 56 percent or more, compared to what the jurists were earning prior to the Supreme Court ruling.

But the commission's high figures pale in comparison to judicial pay recommendations proposed by other groups. The American Bar Association is pushing for a \$97,000 salary level for the district judges, while the Administrative Office of the United States Courts has stated that the jurists should receive \$109,000 annually to restore the after-tax purchasing power they had in 1969, when the salary was \$40,000.

According to a report by the commission, an increasing number of judges are feeling the financial pinch. It noted that 24 of the jurists resigned their lifetime appointments in the 1970's as opposed to

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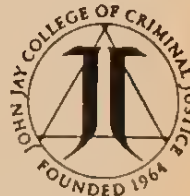
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Israel's enforcement problems make its force an innovator; Hamburg says humbug to patrol gap and puts women on the beat



Bomb sniffers and ferro prints lead Israeli technology parade

Necessity is again proving to be the mother in invention, this time in Israel, where the police are becoming world leaders in law enforcement innovation as they deal with continuing terrorism, an expanding, ethnically-mixed population and a highly sophisticated underworld.

Explaining his force's technical advances to a New York Times correspondent recently, Deputy Commander Meyer Abraham Kaplan noted that some of the techniques and technology that had been developed by the Israeli national force have been adopted by such agencies as the FBI and Interpol. "We're probably much more highly thought of outside the country," the commander noted.

Israel's position as a pioneer in modern policing was brought to worldwide attention several years ago, when the International Association of Chiefs of Police presented its \$10,000 technology award to the force for fabricating a mechanical "bomb sniffer." Kaplan said the nation's experience with terrorism prompted the development of the device, which "sniffs" a location to pinpoint various kinds of explosives.

In addition to the ongoing terrorist threat, Israeli police are being faced with a spiraling crime rate. The number of criminal files opened in the last five years has risen three times faster than the

population, a situation that was aggravated by a 50 percent rise in burglaries during the first half of this year.

To help cope with an increase in gun-related crimes, the Israelis have come up with a superior "ferro print" chemical which can be used to identify an individual who has held a gun within the previous eight hours, even if the gun has not been fired.

Israeli officers have become crime-fighting fortune tellers, rounding up suspects at crime scenes, spraying the chemical on suspicious hands, then reading the palms to determine if an arrest is warranted.

"If it has a distinctive pattern, you can see it on the hand," crime lab technician Daniella Rubinstein said of the chemical reaction. She added that the Israeli-produced indicator is superior to similar substances used elsewhere, which must be mixed fresh every four hours and are only one-hundredth as sensitive.

Another chemical test developed by the Israelis detects whether an object has come in direct or indirect contact with TNT or plastic explosives. Kaplan noted that it was put to good use in 1972 when the substance was used to determine that a terrorist group was not bluffing when it claimed to possess explosives. The knowledge persuaded police to back off from a jet that the terrorists had hijacked and were holding.

Kaplan, who heads the Departments of

Criminal Identification and Research and Development, pointed out that the test could save lives by leading police to people who have planted bombs that have not yet gone off. "We've had I don't know how many cases where this was the key," he stated.

A completely different type of anti-crime device, a computerized identification system, helped Israeli police crack a case that had both political and religious ramifications. A man set fire to one of Islam's holiest places, the Al Aksa Mosque, prompting Arab leaders to charge that Israel was behind the arson.

The night guard at the fire scene was able to give a partial description of the suspect, but it was not specific enough to make an arrest. "The problem is that within an anonymous society, the witness doesn't know who he has seen," Kaplan noted. "If you throw a lot of photographs at him, he gets confused. But if you throw only a few pictures at him, he can pick."

The police threw the problem to a computer which assigns numerical values to various facial features, and the machine narrowed down the possible faces. Michael Dennis Rohan, an Australian Christian, was fingered as the arsonist and police soon found enough corroborating evidence to gain a conviction.

Innovation has historical roots, and Kaplan has turned to the Talmud, the ancient collection of traditional Jewish law, for a perspective in modern crime-fighting. "It's not the mouse who's the thief, but the mousehole," he said, quoting a Talmud precept and interpreting it to mean, "Prevent crime by making sure that it doesn't pay."

Israeli police have removed some of the illicit glitter from several categories of goods that have traditionally been gold-mines for would-be criminals. Citizens are required to register such items as stereos, televisions and cameras before they can insure the objects; a detailed manual for the description and identification of jewels has been published, and diamonds are "fingerprinted" through the use of laser beams.

The laser technique was developed in light of Israel's standing as the world's largest exporter of cut diamonds. The stones are fingerprinted by using the beams to show each gem's unique refractory patterns.

Hamburg inspector says new female patrol runs smoothly

Faced with a chronic manpower shortage and an overabundance of female applicants, the police department in the West German city of Hamburg has embarked upon a plan to put women officers on street patrol by the spring of 1982.

According to a female police inspector who is actively involved in preparations for the changeover, 32 new women police officers will be assigned to four different precincts in the West German metropolis after they complete the rigorous 30-month training program for new recruits. Although the Hamburg force has included women in its uniformed ranks since 1945 — along with Berlin, the only two West German cities to do so — the female cops have previously been assigned to a special division which

restricts them to duties other than patrol.

Inspector Anna Okkerman, who recently wrapped a 14-day, three-city tour of American police departments, described the circumstances that led to the decision to turn women out for patrol activities, noting that "every state in Germany [has] problems in hiring male police officers."

Planning for the gradual introduction of women to street patrol began in 1978, she said, adding that a four-year implementation period was necessary because of the need to hire new trainees and put them through the department's extended training regimen.

"They did not intend to send the older [women officers]," Okkerman explained. "We couldn't do it in Germany because we have a very strong union, and if you hired for special work in police — and we all were hired for this years ago — you cannot say that tomorrow you have to sit in a radio car."

When the first female patrollers graduate from the academy next year, they will be sent to work in either a busy midtown precinct, one of two stationhouses in mixed business/residential areas, or a quiet neighborhood police command. Each of the women will work with an experienced male partner at the beginning of their patrol careers.

The plan to put women behind the wheel of the German radio cars has met with a mixed response from veteran male officers. Inspector Okkerman said. While the older cops may feel somewhat threatened, she observed, "with younger males we don't have this."

With veteran women officers, she said, the situation is much the same: "We have trouble with the older ones; most of them don't like to go on patrol." The new female recruits, however, are "very fond" of the idea of being patrol officers, according to Okkerman.

The older women's reluctance to join the patrol forces was attributed by Inspector Okkerman to several factors. For starters, she said, going on a street detail would mean a radical change in the shifts the women must work, and, she stated, "they don't like it."

The inspector went on to note that "they have to learn a lot of things because they are now years in one kind of duty and they know it exactly."

"But you have to learn it," she continued, "because on patrol everything comes. So I think they are afraid of learning a lot. They are old police officers coming into a group of young males and the males might say 'oh, that's wrong, and that's wrong.'"

"They are also afraid not to be together; women are much stronger if they are together," Okkerman said.

The top administrators of the Hamburg force are planning to closely monitor the progress of the integration plan. "Our headquarters has to control everything that happens," Okkerman said. "We also have to look at who is the chief of a particular precinct and his opinion about integration."

A number of command-level cops are opposed to the concept, the inspector surmised, but "nobody dares to say it very loud."

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No money for brutality probes. . .

Chicago civilian review panel is stillborn

Chicago's first civilian board designed to review complaints against police complained last month that it was not receiving funding for its operating expenses and promptly disbanded.

Created last September by Mayor Jane M. Byrne in the wake of growing allegations of police brutality, the panel was set up as a means by which citizens could file protests against police action without reporting directly to police officials.

The board's authority was never finalized, however. Its chairman, Howard C. Smedley, had stated that the panel would conduct preliminary investigations on the complaints it received and turn over its findings to the mayor. Meanwhile, Byrne said nothing about empowering the board with an investigatory function, noting instead that the group would have no authority to order or recommend sanctions against the police.

As the mayor and the review board chairman went their separate ways with their respective notions about the board's purpose, the panel's six members found that they could not even get funds to arrange for telephone service.

The line was cut completely on December 20, when the board discovered

that it was not included in Byrne's 1981 budget. In what was apparently its first official act, the panel dissolved itself, stating that "we cannot get a feeling of cooperation from the city administration."

Police officials are not expected to mourn the board's passing. Police Superintendent Richard Brzezczek, who reportedly was not consulted before the panel was created, told reporters that he believed responsibility for the conduct of police officers was his and that complaints should continue to be handled through his Office of Professional Responsibility.

According to the *New York Times*, there are already five separate entities that have the power to examine allegations of brutality by the Chicago force, including three within the department itself, one at the state level and another at the Federal level.

Despite the wide array of review mechanisms, a move was launched last summer by minority leaders who hold public office to publicize what they felt was a continuing wave of police brutality. Four public hearings were held, the last of which featured statements by black and Hispanic citizens who described incidents

of alleged brutality in which they had been involved.

Byrne waited only until the day after the third hearing to form the review panel, selecting Smedley, a black moving company executive and a member of the Chicago Transit Authority Board, as its chairman. She subsequently pledged to provide a staff and office space for the committee, prompting it to draw up a proposal for its operating expenses.

In the budget request, Smedley asked for \$800,000 and a staff of 17. The annual salary for each part-time member would have been \$20,000, and the chairman would have netted \$25,000. However, the mayor refused to meet with the group to discuss its funding proposal.

Commenting on the committee's self-destruct move, Byrne stated that while she could not fund the panel in her new budget, the board had "served its purpose and done an excellent job" even though it had not conducted any investigations.

The brutality issue came to the surface recently when a former mental patient died after he was allegedly beaten by three plainclothes policemen because he had reportedly refused to stop smoking on a city train. The officers were indicted for murder after being suspended from the force.

Supreme Court Briefs. . .

Continued from Page 5

Challenging the California appellate court's reasoning as not focusing on the true issue in this case, Justice Marshall noted that the Fourth Amendment's warrant and probable cause requirements impose limits on the actions of the police. Justice Marshall reasoned that the "mother's consent could not and did not supply the requisite probable cause or warrant." The Justice further maintained that while the mother could have taken the boy to the police station herself, there is no basis for concluding that she had the authority to waive her minor son's Fourth Amendment rights and permit the police to detain him when the police had not complied with the constitutional requirements.

Justice Marshall contended that the time had come for the Supreme Court to consider the scope of Fourth Amendment protections when they are asserted by a minor. To date, the Court has not directly dealt with the issue, even though the protection against self-incrimination and the right to notice, counsel, and confrontation of witnesses were granted to minors facing juvenile charges as early as 1967 in *In re Gault*, 387 U.S. 1.

Justices Brennan and White, "agreeing for the most part with Justice Marshall's dissenting opinion," also favored granting the petition for certiorari. As is the custom, however, no explanation was given for the action of the other six Justices in voting not to grant certiorari. *David Levell W., A Minor v. State of California*, No. 80-5058, petition for writ of certiorari denied December 8, 1980.)

Obscenity

In other action, the Supreme Court granted certiorari to determine if the officers of *Hustler* magazine have established that they were the victims of an unconstitutionally discriminatory prosecution by the State of Ohio.

Contrary to the determination reached by the trial court, the Ohio Supreme Court concluded that the defendants had not established a prima facie case that discriminatory prosecution had occurred.

The defendants contended that *Hustler* had been singled out since the owners of similar magazines being sold in the same stores had not been prosecuted. The state alleged that *Hustler* was chosen as a test case in part because it was easier to prosecute than other similar magazines, inasmuch as the officers lived in the state. There was no showing that if the prosecution proved to be successful the other officers of similar magazines would be prosecuted.

The question before the Court is whether the officers of *Hustler* made a showing that they were singled out for discriminatory enforcement which would require the state to prove that its action was not unconstitutional. (*Flynt v. Ohio*, No. 80-420, petition for writ of certiorari granted December 8, 1980.)

Marshaling identity changes:

Congress may patch witness umbrella

The U.S. Marshals Service will need more troops if it is going to follow a Congressional suggestion to shield cooperative citizens under its witness protection program.

That was the prognosis of Marshal Howard Safir, who heads the protection effort for the Justice Department agency. Safir made the comment in testimony last month before the Senate Investigations Subcommittee, which is examining ways to improve the government's offensive against organized crime leaders.

"That kind of criminal is the most dangerous threat today," said subcommittee chairman Sam Nunn (D-Georgia), pointing out that mob kingpins can best be unhinged through the testimony of legitimate businessmen.

While Nunn asserted that such witnesses will be more willing to come forth if they are placed under the protective umbrella of the Marshals Service, Safir foresaw problems with such a plan. "The program is not structured for those people — private citizens," the marshal said. "I can see no improvement without additional resources."

According to United Press International, Safir told the subcommittee that about 97 percent of the 3,515 witnesses who have come under the protection of the 10-year-old program have been criminals who exchanged their testimony for immunity from prosecution and a guarantee of safety for themselves and their families. With the relative included, over 12,000 persons have been protected since 1970, the marshal noted.

Safir may see his program expanded, if Nunn has his way in the upcoming Congressional session. "I believe its going to take real thought to add a program [with a more sophisticated] dimension, if we are going after high-level white-collar criminals and organized crime figures," the Senator said.

"It seems if the Department of Justice is serious about the direction they are going in — after the top level — it ought to get serious about the witness security

program," Nunn added. "I would hope that before January 20 they will look at it and give some recommendations to their successors."

Safir had some recommendations for the subcommittee, explaining that protected witnesses must be given new names and new homes in new locations. Such identity changes are accompanied by a paperwork blitz of new Social Security cards, driver's licenses, medical histories, and amended school records for the witness's children, he observed.

Also included in the protective package is a new career for the client. But Safir emphasized that finding a comparable job for a successful businessman is more difficult than placing a laborer.

A business leader may also be more

concerned about his credit rating than a witness who has a criminal past. The marshal stated that it is often a problem to document a paper identity that banks, lenders, employers and others can check without getting suspicious, noting that it will only work with bona fide documents issued under the new names.

In concluding the three days of hearings on the protection effort, Nunn suggested that the effort needs a more centralized administration with high-level oversight in the Justice Department. His list of recommendations included more expert personnel, better support by other governmental agencies, more adequate funding, and better documentation of new backgrounds to go with witnesses' new identities.

Miami/Dade spells relief: F-H-P

Continued from Page 3

ment is 20 troopers below its authorized level of 95 in Dade County and 52 short of its 906-trooper statewide authorization. He noted that eight troopers stationed in Dade county resigned recently to join local police agencies and another 15 have filed applications with Dade County.

Secretary of State George Firestone observed that the troopers earn only \$12,000 to \$15,000 annually, compared to the \$16,000 to \$24,000 made by local officers in Dade.

The monetary enticement apparently has Beach worried. He told the Associated Press that he fears the special Dade assignment will expose more troopers to the recruiting efforts of law enforcement agencies in the county.

Temporarily transferred troopers will apparently be living in high style during their Dade County/Miami work visit, despite the fact that they each receive only \$40 a day in hotel and meal expenses. The Dade County Tourist Development Council has pledged that restaurant and hotel owners in the area will put up some



Col. Eldridge Beach

\$200,000 in services for the troopers during January.

In addition, Dade County commissioners have agreed to spend up to \$100,000 in additional funds to help the state lawmen pay for their living expenses.

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After the cream rises to the top

An interview with Richard J. Brzeczek, Superintendent of the Chicago Police Department

LEN: Recently, after a long stint as the nation's largest non-unionized police force, the officers of the Chicago Police Department switched course and adopted the Fraternal Order of Police as their bargaining agent in contract matters. What would you cite as the developments that led to the 180-degree turnaround?

BRZECZEK: Probably the primary development was the fact that during 1978 and early 1979, when Mayor Byrne was running for the position of mayor, she promised city employees, specifically police and firemen, a collective bargaining ordinance and a contract. What happened is that she came in in April 1979 and there were many things that she had to deal with on the front end in terms of reorganizing her administration. Then she was confronted with a fire strike in February of '80. I'm only giving you these events because it took until about August 1980 for her to come down with a mandate saying that "I've made the commitment to the police officers for a contract, and I want to give them the opportunity to let me know if they do, in fact, want union representation and a contract." We announced an election, we went through with the election, and the FOP won.

The real reason is that it was a campaign promise on the part of the mayor that she is fulfilling; that's the bottom line.

LEN: Why do you suppose there has been no union within the Chicago PD until this point?

BRZECZEK: Because I think the prior administrations, that is to say the mayor's office, just was not amenable to union representation.

LEN: Despite the fact that the officers might have wanted a union voice?

BRZECZEK: I'm not sure that there was enough militancy among the rank and file over the history of the department that really could have forced the issue. There were probably six major organizations representing police officers in the department, and if you added up all the ethnic and fraternal groups, you then come up with a total of about 25 or 26 different organizations

representing Chicago police officers. So with that type of dispersion in terms of where the rank and file may have their allegiance, they really never got unified and came up with any type of single voice to raise it. They did talk about unionizing and collective bargaining in the past, but without the unanimity of thought they weren't persuasive enough with prior administrations. LEN: During the unionization campaign, which ran through two separate elections, reports in the Chicago press indicated that you were campaigning against unionization. What were your reasons for urging your men and women to vote non-union?

BRZECZEK: It wasn't so much a case of urging them to vote non-union as it was the fact that our informal surveys, and then another survey done by Crane's Chicago Business, which is an independent business weekly published here in Chicago, identified the fact that about 25 percent of the Chicago police officers were opposed to unionization. The information that we were getting from the rank and file was that "Hey, what about the guys who don't want a union?" So what we did is we went out and entered into a campaign, and the campaign was nothing more than an informational campaign citing the pros and cons of unionization and the pros and cons of staying non-union.

In the first election, back on October 16, which was a kind of primary election, the no-union position on the ballot got the most number of votes. Then there was a

LEN: Does this also put you in the upper ranks of Chicago's municipal bureaucracy in terms of salary?

BRZECZEK: Yes it does. There's only one person who will be getting a larger salary than myself in the government here, and that's the corporation counsel.

LEN: What were the reasons that were put forward, either by the mayor or whomever it was that proposed the raise, for the raise and the size of it?

BRZECZEK: Originally, the mayor hired a management consulting firm to come in and look at all of the cabinet-level or executive-level positions, and that management consulting firm, in doing a study of the police superintendent's job in Chicago, came up with the recommendation that the minimum that the superintendent should be paid is \$86,000 a year. For each job they had three recommendations — a minimum, which was \$86,000 for me, a midpoint, which was \$101,000, and then they said the job is actually worth \$117,000.

LEN: What did they cite as the basis for their conclusion?

BRZECZEK: They made their comparison based on the relative responsibilities, the scope of the responsibilities, the complexities of the job, using executives in private industry as the barometer. So they made no comparisons with other police chiefs throughout the country; they were looking at the barometers in private industry. No one even came a close second in terms of what the salary should be; the police superintendent's

'The difference here is that the mayor was the one who initiated [union] organizing. She was the one who made the promises, and she's the one who called for the election.'

Up through the ranks...

Richard J. Brzeczek completed his first year as superintendent of the Chicago Police Department yesterday, establishing command of a force that has been headed by six executives in the past three years.

A home-grown chief, Brzeczek is considered by many Chicagoans to be the cream of the crop of the city's police training system. He ranked ninth in the department's entrance exam in 1964, finished first on the competitive test for sergeant in 1970, and was also at the top of the list when the results of the captain's examination were announced in 1979.

The 38-year-old lawman's rapid rise through the ranks has been mirrored by leaps in his academic achievement. Brzeczek received a B.S. from Loyola University in 1965, an M.P.A. from the Illinois Institute of Technology in 1968 and a J.D. from John Marshall Law School in 1972.

Brzeczek's training as an attorney was utilized by the department in 1973 when he was named executive assistant and legal counsel to the superintendent, a post he held for five years before becoming an assistant deputy superintendent.

Brzeczek first arrived at the superintendent's office in 1965 as a patrol officer assigned to the staff of then Superintendent O.W. Wilson. He subsequently served in the department's Youth Division, Detective Division, Bureau of Inspectional Services, and the Vice Control Division.

In addition to holding membership in three major bar associations, the superintendent is part of five committees of the International Association of Chiefs of Police, is on the advisory board of Americans for Effective Law Enforcement, and serves on the advisory committee of the Center for Research in Criminal Justice at the University of Illinois.

This interview was conducted for Law Enforcement News by Peter Daulenhoff

runoff between no-union and the FOP, and, of course, on Friday, November 7, our intelligence was telling us that at worst, we were even with FOP in terms of who was going to win the election the following Monday, the 10th. On Sunday the 9th, the Chicago Sun-Times came out with an article saying that the proposed pay raises for police officers, among other people in the city, would be 6.5 percent, and they announced a proposed pay raise for the police superintendent from \$51,000 to \$95,000.

LEN: Do you feel the outcome of the balloting was determined by the reports of the proposed pay hike?

BRZECZEK: Absolutely. In fact, I was surprised because I predicted after the article came out that "no-union" would not even get 10 percent of the vote. I think we ended up with something like 18 percent of the vote. So there's no question that there was a substantial shift — in fact, we have about 23 percent minority officers in the department, and word was that they were voting "no union" because they felt that unionization was inconsistent or incompatible with affirmative action. In addition, they were specifically campaigning against the FOP, because the FOP entered as intervenors in a discrimination lawsuit here, taking the position as a proponent against reverse discrimination. So when you look at the final vote tally, you can see that the first time around I think we had 96 percent of the officers voting; the second time around it was about 88 percent of the officers voting, which is still a high turnout. So even with 88 percent of the officers voting, a lot of the blacks or minorities shifted over and voted for representation.

LEN: Were the reports that appeared in the Sun-Times of the proposed 86 percent pay hike accurate? Is such a raise actually in the works?

BRZECZEK: As it turned out, my salary is going from \$51,000 to \$80,000. They were accurate because the mayor's proposal was \$95,000, but I think because of the debate on the floor of the city council — for the most part, the reaction I have is very favorable toward the pay increase, but there were some vocal elements who raised some issues about the pay raises, and the mayor thought it more appropriate at \$80,000.

LEN: Can we presume that this puts you in the uppermost reaches, financially speaking, of police administrators in the country...

BRZECZEK: From my understanding, the guy in Los Angeles [Chief Daryl Gates], with about half the size of my department, still is making more money.

job was way, way above everyone else. I think somebody was up close to \$100,000, but that's \$17,000 a year on the maximum. I thought they did an excellent job.

LEN: Going back for a moment to the union matters, can you foresee at this stage what the short- and long-term impact of a union in your department will be?

BRZECZEK: It's hard to say, because what happened here, I think, is that a lot of times when you see departments organize, they organize because of some issue or at the instigation of the rank and file — you know, the guys just throw up their arms and say, "Hey, it's about time to organize; it's about time to unionize."

The difference here is that the mayor was the one who initiated the organizing. She was the one who made the promises, and she's the one who called for the election. That's number one. So I think you have a different genesis here than you have in most other organizations. Secondly, the absence of some issue — I'm not saying that the pay raise thing wasn't an issue, but that did not generate the organizing effort; it just shifted the vote. But the absence of any issue generating the organizing, I think makes it hard to predict exactly what's going to happen in the future. I think for the most part that it's going to be somewhat of a pragmatic, logical, progressive, incremental approach toward the negotiations, toward hammering out the contract. You're kind of feeling your way through. There was a guy by the name of Lindblum who wrote an article about 15 years ago called "On the Science of Muddling Through," and I think that's the way it's going to proceed. I'm not saying it's going to be unprofessional, but I think that it isn't going to be cataclysmic at the same time, either.

LEN: One of the groups that was vying for the officers' votes as official bargaining agent, in addition to the FOP, was the International Brotherhood of Teamsters. Do you foresee different implications for your department had the Teamsters won the election?

BRZECZEK: I'm not sure if there would be different implications. I think that the fact that FOP won has an implication, and I'll tell you why. First of all, in 1975 we got sued because we had a rule which said that police officers cannot join a union. What happened was that the rule was found to be unconstitutional in a Federal court here, and what I did when I was legal counsel was that I rewrote the rule. I agree that it was unconstitutional, because it denied police officers the right to associate and organize and to redress grievances. Now when you

the top in Chicago

t of the Chicago Police Department



look at the new rule, the rule said that police officers can join a union as long as the union exclusively represents full-time police officers. We were still litigating that, in fact we are right now — there's one Federal judge who held that to be unconstitutional, and we're going up on appeal. But there's a second aspect of the rule where it says that only rank and file people can belong to the bargaining agent; managers cannot belong. We won that in a Federal court.

But the point that I'm making about the first part of the rule is that police officers went and voted for the FOP, and the FOP, basically, conforms with that rule. Even historically, the FOP is an organization that does nothing but represent full-time police officers exclusively. So I think that rule really reflects the mentality of Chicago police officers, that while they may want some representation, they want to keep it within the confines of the profession itself, and they don't want to get involved in the potential conflicts of interest that you have, and things like that. Chicago is a very active labor town, and we have a labor detail with specific functions in labor-management controversy, and the question comes up, you know, if police officers are represented by a certain local of XYZ union, and another local of XYZ union goes out on strike against ABC management, and we're called to police that labor-management controversy, you've got a potential conflict of interest because you can be accused of siding with the pickets or siding against management, or what have you. So I think the fact that we have a representation of police officers by an organization that represents only police officers is good.

LEN: Earlier this year, you drew a great deal of attention, both favorable and hostile, regarding your relations with former Acting Superintendent Joseph DiLeonardi and former Deputy Superintendent William Duffy. The men contended in the press that politics and organized crime considerations figured in their demotions. What were your reasons for demoting and reassigning the two administrators?

BRZECZEK: They were both incompetent.

LEN: In their roles of the moment as deputy superintendents?

BRZECZEK: That's correct.

LEN: Some months before, when your appointment was announced, DiLeonardi, as your immediate predecessor, termed you a "outstanding police official," and indicated that you "surely have [his] loyalty and support."

BRZECZEK: The first part was accurate, the second part was a lie. To give you an example, the day I walked into this office — I was appointed on a Friday evening, so the office, for all practical purposes was closed on Saturday and Sunday — I walked in here on Monday morning, the morning of the first business day as superintendent, and in the office at the time was a desk, a credenza behind the desk, and another credenza alongside the wall, and there were two filing cabinets in a kind of a closet-shape alongside the office. I sat next door to this office for six years as legal counsel, and as legal counsel I was intricately involved in every aspect of the department, so I knew everything that was in this office. When I walked in on the morning of the first business day, there wasn't a single piece of paper on or in any one of those pieces of furniture. I can tell you that there were files that were in this office, because I was legal counsel through two actual superintendents and three acting superintendents, and there were files in this office the existence of which transcended all of those administrations. There were files that were indigenous to the office and not to the man. When I walked in here and found the keys to those pieces of furniture laying on the desk, and found no documents — I'm talking about not a single document, not a single sheet of paper, in or on any one of those pieces of furniture. That to me was the first indication of his loyalty. His statement that I have his loyalty was nothing more than a statement that is unsupported, which had no substance to it, no fact whatsoever. It was simply some jargon trying to solidify his own position.

LEN: Do you have either real or speculative reasons for the non-appearance of those files that you knew existed?

BRZECZEK: I didn't speculate as to why, other than if

he thought it was going to make the job more difficult for me in that the files weren't here, he was wrong, because I think that I've been able, because I was legal counsel, to reconstruct most of those files from my own personal memory, and either get duplicate documents or just reconstruct them on my own. What the purpose of it was, I don't know, but the other thing is I received absolutely no briefing whatsoever verbally from him in terms of the transition either.

LEN: While DiLeonardi said in the press that you had his loyalty and support — whether or not that turned out to be the case — you later responded by charging that he and Duffy were overrated as fighters of organized crime.

BRZECZEK: That's correct.

LEN: In light of the charges that they leveled as to the political nature of their demotions, was it that they were actually overrated, or perhaps overzealous, and were perhaps stepping on important toes?

BRZECZEK: They were overrated, because I raised the question "Who have they put in jail in their collective 55 years of this alleged overzealous attack on organized crime?" That's all I'm asking.

LEN: During the spring of this year you began a series of meetings with FBI officials in Chicago to map out a joint strategy for combating organized crime in your city. What's the current status of those efforts within your department?

BRZECZEK: We have targeted several organized crime activities — the specific targets, of course, I'm not at liberty to disclose — but we have targeted specific activities which we are moving on right now. Not only have they been specific targets that we have agreed upon, but it also has the imprimatur of the FBI headquarters and, of course, has the oversight assistance of the Department of Justice, in the form of the United States Attorney.

LEN: More recently, you announced a major shake-up in the detective division of the Chicago PD. What was the purpose behind the reorganization?

BRZECZEK: There were a couple purposes. One is to make it more efficient, two, to develop a greater degree of flexibility in the detective division and three, to move

'Since the days of [O.W.] Wilson [the detective division has] been sitting down here at headquarters and really not being that responsive to the community problems.'

the detective command back out into the community. Since the days of [former Superintendent O.W.] Wilson it's been sitting down here at headquarters and really not being that responsive to the community problems.

LEN: Was there any major dissatisfaction with the brass in the detective division, other than the fact that they were perhaps out of touch with the community?

BRZECZEK: No, I wouldn't say there was any dissatisfaction, it's just that for the last 20 years, since Wilson came in, when they reorganized the last time they brought the brass down here and called the shots from down here. What I'm doing is rather than having a centralized specialization — for example, right now we've got homicide, sex, robbery, burglary, stolen autos and general assignments, general assignments being everything else — what I'm doing is taking these specialized commanders and putting them out into the communities. They will now be in command of a detective area, which takes in three or four or five police districts, and they will have a geographical responsibility. In other words, the scope of the responsibility is primarily geographical, and within that geographical scope they will be responsible for the investigation of all crimes.

In the areas of specialization, there will be two areas, primarily: violent crimes and property crimes. So what happens now is, for example, this time of the year traditionally there seems to be somewhat of a depression in the occurrence of homicide and rape, and an increase in the number of robberies right before Christmas. What happens is you get so many of them you run out of robbery detectives to investigate them. At the same time,

you've got the homicide detectives and the sex investigators having somewhat of a lull period. So we can then shift and put them all in one generic category called violent crimes and then reassign detectives to help out on the robbery situation. Let's say robbery activity is somewhat depressed and we get a rash of rapes or homicides, you can shift them the other way. So the violent crime detail will investigate all types of personal violence, such as robbery, rape, homicide, shootings, things like that, whereas the property crime squads will stick with the burglaries, thefts, and that sort of thing. It's a generic category rather than the traditional. What I'm looking for is to organize functionally and put generic labels on things, rather than trying to organize on the basis of labels. I think law enforcement has too long been organized on the basis of labels.

LEN: Does your detective division currently utilize any selective approaches to investigation, such as designating high priority offenses or target areas?

BRZECZEK: That's part of the reorganization, we are beginning that in January. The reorganization will become 100 percent effective on January 1, and we will then go into our case management as well.

LEN: Will this be patterned after any existing program that you have observed elsewhere, or is it an approach that is unique to the Chicago PD?

BRZECZEK: I think it's something that we've developed exclusively here, because we want to tailor it to meet the needs of the city of Chicago.

LEN: Are there singular aspects to the approach that perhaps are not found elsewhere?

BRZECZEK: Right now I don't know, because I haven't made any comparative analysis. I think it's probably a little premature to do so because as we implement that system and we see that there may be certain aspects of the system not working well, it may then be worthwhile to do some comparative analysis and see why they might not be working well.

LEN: Does crime analysis figure into the targeting of offenses and neighborhoods?

BRZECZEK: That's another thing that we haven't done here either in the city of Chicago. Crime analysis has always been offender-oriented, and what we're going to be doing now along these lines is to do crime analysis on a target area orientation. I want to raise some questions as to why a certain area is vulnerable, say, to residential burglaries. You can take a couple situations — offhand, I would imagine that some of the areas in New York that are just east of Central Park are quite affluent, and a lot of those premises are vacant during the day because of people going down to Wall Street or wherever else they're going to work in Manhattan. Now take the Hyde Park area out here in Chicago. It's a fairly affluent area, with older mansion-type buildings, and what you have there is a lot of people either on the faculty of the University of Chicago or working at the American Bar Association or American Bar Foundation. Taking that as a

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'The fortunate thing in the changeover from one superintendent to another is that everyone came from within the department. It would have been disastrous if you had outsiders coming in with that kind of frequency. That has a very unsettling effect on an organization.'

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target area, I don't care if 100 burglaries occur there and they're committed by one burglar or 100 different burglars; we have to look at why the area is vulnerable to burglaries. Basically, it's vulnerable because there's no real life in there; everyone's vacated. So I think you have to design your patrol activities to meet the demographics and socioeconomic considerations of a given area.

Now you may go up to another area which is, say, middle income or upper-middle income, single-family dwellings — almost row houses — and you may have a residential burglary problem there. But while you have a residential burglary problem, a survey will show you that there are generally women in the houses — not all of them, but a substantial number of them — and while you may have to redesign patrol activities there, it may require a community relations program to alert people to the fact that while they are there, they also have a responsibility to use their eyes and ears and help us patrol, and to call 911 when they see something suspicious. So I think these are the kinds of things that we're looking for here in terms of new approaches to crime prevention.

LEN: Does your department currently operate any programs along the lines of a neighborhood watch or citizen crime prevention teams?

BRZECZEK: We have a couple programs. One is that Beat Representative program, and while that isn't so much geared toward a vigilante group, like some of these are, it's geared toward identifying the environment or the medium that will promote or precipitate criminal activity — abandoned buildings, kids hanging out on corners, abandoned cars, things like that. It's kind of an identification, not of an ad hoc situation so much as it is of general conditions.

We've got a few others going on in terms of Operation Crime Stop, and we've got one that my wife just developed for which she's been getting an awful lot of publicity in Chicago. It's called Operation Nasty Neighbor — getting people to look out their window every once in a while to see what's going on, behind their homes, next door to their homes and in front of their homes. That one's just getting off the ground; it's only been in operation about six weeks to two months, but it's picking up a lot of steam.

LEN: How does Chicago's crime rate in terms of Part I offenses generally compare with other major cities?

BRZECZEK: I know that we have, out of the 55 or 57 largest cities with 250,000 population or more, we rank somewhere around 53 or 54 — about two from the bottom in terms of Index crimes per 1,000 population. Out of the seven major cities with a million or more population I think we're second from the bottom overall. But what we're seeing here in Chicago right now is a general decrease this year as compared to last year in violent crimes, but a fairly substantial increase in property crimes. The only one that's a hybrid, both a violent crime and as property crime, is robbery, of course, and that's up substantially. I think that we have a direct relationship, again, to the general socioeconomic conditions — unemployment, inflation, things like that — which contribute to the upward spiral in property crimes. At the same time, if the economic conditions continue to be as stringent as they have been, I think you're going to see people becoming more and more frustrated, and I think you'll then see a surge in violent crimes as they take out their frustrations in that form of criminality.

LEN: Has police/community relations played a part in keeping the crime rate as tempered as it apparently has been?

BRZECZEK: Well, I hope and think so, and I'll tell you why. A lot of times people ask me, "What are you doing about the crime problem in Chicago?" My primary response to it is, "What are you doing about it?" I think crime, or any type of conditions, especially those that become the focus or attention of the police — whether it be narcotics, crime, or you name it — is a direct function of the tolerance that the people in a given community will permit. If they're going to permit these things to go on, they're going to go on. But I think if the people get together and take an interest in their community, and want to do something about it, and use the resources of the police, then I think they can eliminate a lot of these problems. By the same token, you can have the best doc-

tors in the world, but if people don't go to the doctors and don't get it in their minds that they want to get well, then the doctors really can't help them. What they really need to do is they have to want to get well and then use the resources of the doctor or the pharmacist or the hospital to help them get well. And that's the way I see us, in the same position. Crime, or narcotics, or criminality, or delinquency is a direct function of the tolerance of the community.

LEN: One of the prime movers in setting up community-based programs during the past 10 or 12 years has been LEAA. How will the gradual evaporation of funding from that source affect operations within the Chicago Police Department?

BRZECZEK: Well, there's no question that it's going to hurt, from the standpoint that, for example, our Beat Representative program is funded through LEAA and I personally am committed to that program. The budget is going to run out sometime in September of '81, but I received a commitment from the mayor in the development of the corporate budget that we will pick up the funding of that program. So it's going to hurt because we're going to have to look to local resources to keep these things going.

At the same time, I wish I had the money now that was available 10 years ago in law enforcement, because there are so many things that have to be done in terms of programs, philosophical programs. I don't see the need

they're there, and I think you have to have the courage to go forward and to deal with them.

LEN: Had there been reluctance on the part of previous police superintendents to concede the existence of problems such as alcoholism?

BRZECZEK: I don't know if there was a reluctance. To say yes or no one way or the other, I think, would be an unfortunate commitment for what they should have done. To get an appropriate answer on whether or not there was a reluctance on their part, you'd have to ask them specifically. They may have had a perception that there may have been alternatives available precluding the need for this thing.

My perception of the situation is that we needed something and we needed it now. When we had the briefing session with the command people on the alcoholism program, after the briefing session one of my more cynical commanders came up to me and said this is something that's about 15 years too late.

LEN: Had there been any hue and cry from the men and women of the department for such a program?

BRZECZEK: No. In fact, we've had very, very few hues and cries for specific things to be done right now, because basically I don't like to be an *ad hoc* administrator; I don't like to manage by crisis. I like to be very proactive and I like to go after things and do things. I think that there's always room for improvement, and maybe a year from now I'll sit down and say

'I think crime, or any type of conditions, is a direct function of the tolerance that the people in a given community will permit.'

right now to be spending that kind of money for the purchase of hardware, but I think there's a tremendous need to continue the training and upgrading of law enforcement across the board, especially in the area of management training. I think that in most departments you'll find that the best trained person in the department is the police officer, the patrolman at the operational level. There's an inverse relationship as you go up in the organization; I think you'll find that people are poorer trained there. Not that they're poorly trained police officers, but are they properly trained for the position that they're holding?

LEN: Are any programs currently in operation or on the drawing board to improve the quality of supervisory and management-level training?

BRZECZEK: Yes, we are going through this in-house here in Chicago; in a large department you can do those kinds of things with the kind of resources you have. We are starting a management training program for all command people, and what it will be is basically one whole day a month — 8:30 in the morning to 9:00 at night — with a few sessions a month because we've got about 90 or so command people, so we'll break the group in half. We will be training them in the area of management skills, planning, leadership, concepts in terms of civil liability, managing disciplinary problems, relations with the news media, and new, of course, labor relations — not in anticipation of unionization, but actually dealing now with union problems. Also managing stress situations in terms of, you know, the personnel problem, managing personnel stress. There seems to be somewhat of a hiatus between what we can do operationally on the street and how we can recognize as managers the personnel problems of our people, and I think it's about time we do something about it. For example, on December 1 we announced — operationally and functionally, because it's been in the planning stage for about five or six months — the first in-house alcoholism and drug abuse treatment program for Chicago police officers. There never was one before.

LEN: Was this a problem of major proportions?

BRZECZEK: It sure was, because a substantial number of our off-duty disciplinary cases, especially those involving the improper use of firearms, were alcohol-related. It was so obvious it was going on for a year.

My philosophy is this: you cannot solve a problem until you admit that it exists. That's premise number one from which you have to operate. And, of course, some of these problems are not the nicest things in the world that you have to deal with. You have to admit that

we've got to make that alcoholism program better. Or maybe a year and a half from now I'll sit down and say we've got to make that management training program better. I've never afforded myself the luxury of becoming complacent or content with anything that I've done no matter how well received it may have been.

LEN: The Chicago Police Department has had six superintendents or acting superintendents in the last three years. What effect has this relatively short life expectancy for chief administrators had on the force?

BRZECZEK: Well, to a certain extent, it created a certain amount of instability and uncertainty, and I think some suspicion and caution, in the minds of all the personnel. The fortunate thing in the changeover from one superintendent to another is that everyone who's been in the position — and you're talking about, from the time that [James] Rochford resigned in 1977 to the time I was appointed in January of '80, you're talking about from Rochford to [Michael] Spiotto, to [James] O'Grady, to [Samuel] Nolan, to DiLeonardi to Brzeczek — the one saving factor has been that everyone came from within the department. That way the rank and file, again in relative terms, could identify with and they knew of this person prior to his appointment as superintendent. And again, coming from within the department, I think that there's a certain amount of loyalty and commitment to the organization. I think it would have been disastrous if that situation was permitted to exist and you had outsiders coming in with that kind of frequency. That just causes all types of consternation, uncertainty, and I think it has a very unsettling effect on the organization.

LEN: Do you feel that home-grown police chief administrators are generally a better bet than going outside the department?

BRZECZEK: That's something that I think you can debate for a long period of time, but more importantly, one advantage I see to a home-grown, to use your terms, chief is that it seems to me that he has some roots there and some loyalty and some commitment to the organization. It's like growing up in a family, and you really don't discard your own family. You may try to make things better, and you may try to make them do things a little bit differently, but it isn't like coming in and taking advantage of all the hoopla over your arrival and then staying in for a short period of time and then exiting before the roof caves in. Here in our situation, and I think New York is the same way, you know, basically in-house people, they come up through the ranks, there's a knowledge of the organization, they are better able to

'Look at the ridiculous situation in Boston, where Jordan is trying to reorganize and the union is suing, saying he can't reorganize because the union has had no input in this thing. What's even sillier is that the court over there agreed with them.'

identify the talent in the organization, who is committed and who is loyal, who is professional, things like this. I think that coming in from the outside presents a very awesome responsibility to the person coming in. Wilson, when he came in here in 1960, came in under a completely different situation than most other people who've come in before or after him, and that is the scandal of police officers committing burglaries in 1960 was so cataclysmic that you just wondered exactly who could've come in to do the job. I think that his ability to bring in much of his own staff, and the confusion created by the scandal, permitted him to do a lot of things that I think the average newcomer to a police organization really cannot do.

The other thing, of course, is that he was in a completely different era. He was coming in at the tail end of the old days of policing, as I call it, because he was probably the forefather of modern policing. But coming in in the old days, the union issues weren't there, the militancy wasn't there, we didn't even go through the confrontations with civil rights, especially in the North. You had *Brown vs. Board of Education of Topeka* only six years old at the time, and most of the street confrontations were down in Birmingham or places like that, so it didn't even extend this far north. Now, someone new coming in and trying to make those kinds of precipitous changes that Wilson made here I think will find himself in a little bit of difficulty. I mean, look at the ridiculous situation in Boston, where [Commissioner Joseph] Jordan is trying to reorganize and the union is suing, saying he can't reorganize because the union has had no input in this thing. It's kind of silly, and what's even sillier is that the court over there agreed with them. So you've got those kinds of problems.

LEN: In light of the extremely short average term of office for police chiefs around the country, do you feel that police administrators need some sort of tenure to insulate and protect them from the whims of politics?

BRZECZEK: That's really a difficult question. One is, I have tenure here in Chicago. It's probably better than civil service tenure. I can only be fired for doing something wrong, and it requires a two-thirds vote of the city council to affirm the mayor's action. If the city council doesn't vote with that kind of majority, then those charges cannot be refiled; it's a built-in double jeopardy thing.

LEN: How long are you guaranteed your job?

BRZECZEK: It's indefinite; it's not a fixed period of time. You're appointed and that's that; you can only be removed for cause upon confirmation by two-thirds of the city council. And that is after a hearing by the city council, too, an open hearing.

I think what you have to keep in mind, across the board, is that what we're really looking for, what the people are looking for in government, is professionalization. They're looking for professional mayors, professional city managers, professional police commissioners, professional fire chiefs, professional street and sanitation commissioners, and so on right on down the line. While a new mayor or a new chief executive has the right to make those cabinet changes it does seem that what we're more concerned with is eliminating actions of the chief executive in firing police chiefs or getting rid of them simply on a whim, or that something wasn't politically smart or feasible. I think that's what we're really looking at now is a new generation and you'll see that as you get better and more professional people stepping into these jobs as police chiefs. I think they, individually, will get a lot more respect, not only from the citizens but also from the members of the department and the people at City Hall.

LEN: Do you see this evolutionary change in police administrators as being some distance down the road?

BRZECZEK: I think it's probably tied in to a general attitude throughout the country in terms of what people are now demanding of government. I think we've seen some of the short-term effects of Watergate, where people wouldn't tolerate misconduct on the part of government officials, right up to and including the President. The long-range effects of the post-Watergate mentality still have yet to be unfurled, and I think there is going to continue to be a greater and greater demand for professionalism in law enforcement and in all governmental service.

LEN: During your first few years in the Chicago PD, you worked as an aide to former Superintendent

Wilson.

BRZECZEK: To be correct, I was on the bodyguard detail for about five months.

LEN: In light of the high regard in which Wilson is generally held in police circles, did your working relationship with Wilson have any significant impact on you and your career?

BRZECZEK: Yes, it did, because I had gotten out of undergraduate school roughly four months before I went on the bodyguard detail, and in talking to me he was the one who brought up the issue and persuaded me to go to graduate school. And graduate school, of course, precipitated my going to law school afterwards, and just about changed my whole life. So that was a personal thing that I attribute directly to Wilson; he's the one that one was a kind of catalyst to get me to continue my education.

Secondly, if you were interested in bettering yourself, whether it be in law enforcement or someplace else, I think Wilson had a certain amount of personal charisma that if you just opened yourself up a little bit, he would share some of it with you. He was adroit, intelligent, and you'd probably have to say, looking at things objectively, that he was brilliant.

LEN: Given the often turbulent nature of urban policing in the so-called modern era, what do you see the future holding for the profession?

BRZECZEK: I think one thing that has to be kept in mind by people who are my peers — and I'm not talking about major cities, I'm just talking about police chiefs — is that, one, I think they have to be sensitive to the fact that there's going to be a greater demand placed upon them as the future unfolds, a greater demand in terms of professionalism. People will not tolerate in the future the 'good old boy' syndrome. That's one. Two, I think that law enforcement, if it's going to professionalize, must recognize two things. First, a condition

precedent to professionalization is that a professional accepts accountability for the exercise of judgment. We have to recognize the fact that we're going to be held accountable for judgment, and when we do recognize that fact we will then step into the sphere of professionalization. We're getting close to it, but I'm not sure if we're there as yet.

On top of that, I think that law enforcement must find some common denominator in professionalization and control its own destiny. I think historically we've been kind of manipulated by other social vectors that just create our destiny for us, and we have to look at law enforcement as a profession as some type of intellectual interaction, so that we may make plans. I'm not talking about coming up as an interest group, but we can make plans to control our own destiny. Law enforcement has to ask itself where does it want to go.

LEN: Do you have a speculative answer, in terms of your own jurisdiction, as to where you feel the police should be going?

BRZECZEK: I think that the department should be going off in a direction of winning general public respectability and credibility. I think that while we still perform the function of the cops and robbers game — the old statement of "we save lives and protect property" used to be a cliché in law enforcement — what we're really talking about now is a basic, fundamental responsibility for protecting individual rights. That's our basic responsibility, regardless of whom we are dealing with. It doesn't make any difference if it's a complainant, a victim, a witness, arrestee, a person from a certain socioeconomic class, or whatever; it's, kind of, fairness in treatment. That really is the major issue confronting law enforcement today, its ability to demonstrate that it's there for the sole purpose of protecting individual rights.

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CRIME JOURNAL

By JAY ROBERT NASH

Arsenic under the gaslight: a dose of poison killers

(First of two parts.)

The so-called "Angel of Death," Jani Adams, a registered nurse in the intensive care unit of Las Vegas's Sunrise Hospital, was officially cleared of murder charges recently when District Judge Michael Wendell quashed the indictment against her. Judge Wendell stated that there was insufficient evidence to prove that Adams had committed euthanasia killings by allowing patients in her care to die for lack of attention. (One charge had it that Adams purposely turned off the life support system of 52-year-old Vincent Fraser, whom doctors had diagnosed as having a terminal disease.)

The case was a *cause celebre* for several months, with Adams hiring the esteemed lawyer Melvin Belli to prepare her defense but, thanks to Judge Wendell, the case never went to court. Curiously, in dropping the matter the court reported that in Fraser's case he simply died of sepsis, yet a wire service reported that "a total of 21 people testified before the grand jury investigating reports that an 'Angel of Death' was responsible for a number of deaths in the hospital's intensive care unit. In this instance there appeared to be a complete lack of motive for the reported killings.

In the past, however, similar cases have been strongly rooted in the *lack* of motivation, cases in which nurses and household help nursing employees have murdered for inexplicable reasons. America's mass poisoner, Lydia Sherman, was certainly one of these.

After murdering her husband and six children by giving them arsenic in 1864-66 ("I thought they would be better off," was her only eventual explanation), Lydia became the nurse of 75-year-old Dennis Hurlburt, an ailing farmer in Corum, Connecticut. Lydia simply nursed Hurlburt to death, dosing his food with arsenic in 1868. The woman went right on murdering for another four years, nursing people to death — perhaps as many as 42 until her apprehension and conviction in 1872. She spent the rest of her days in a prison cell, never fully giving her motivation for the mass killings.

A contemporary of Lydia Sherman's was Martha Grinder, of Pittsburgh, Pennsylvania, who poisoned her neighbor, Mrs. Mary Caroline Carothers, by slipping arsenic into the woman's lunch. When Mrs. Carothers became violently ill, Mrs. Grinder cheerfully insisted that she nurse the poor woman. The nursing of Martha Grinder consisted of feeding Mrs. Carothers massive dosages of arsenic until the hapless neighbor died in excruciating pain. An autopsy determined murder; Mrs. Grinder, obviously deranged, didn't bother to deny her guilt, shocking authorities with the statement: "I love to see death in all of its forms and phases. Could I have had my own way, probably I should have done more [murder]."

There is evidence to suggest that Martha Grinder, who was executed on January 19, 1866, had had her own way earlier, poisoning several unsuspecting victims before being discovered.

Not all gaslight nurse-killers were motivated by sheer sadism in their heinous acts. Boston's Sarah Jane Robinson, also employing that old standby of 19th century murder, arsenic, poi-

soned her landlord in 1882 when her husband found it difficult to pay the rent. She was so successful in escaping detection that she then poisoned her husband for insurance money. When Sarah's sister, Annie, became ill, Mrs. Robinson "nursed" her sister from the throes of pneumonia and into death via arsenic poisoning. The murder of her sister was not motivated by money in this instance, but rather to snare Annie's bereaved husband. This she did, marrying Prince Arthur Freeman and then poisoning him and his son, along with two of her own children. In all these cases, Sarah was the understanding nurse who demanded that she care for the stricken loved ones day and night.

The insurance firms paying Mrs. Robinson for the last four deaths finally decided that too many fatalities were occurring in one family for it to be coincidence. The bodies were exhumed, the arsenic found, and Mrs. Robinson was tried and sent to prison for life, where she died in 1905.

For an all-time record-setter, there was private nurse Jane Toppan, bosomy, dark-skinned, and in her forties when, in 1901, she poisoned four members of the Davis family in Cataumet, a small village on Cape Cod. Neighbors who were suspicious of the deaths, and of the fact that only Jane Toppan nursed the ill Davises, called in police and the bodies were exhumed and examined, and poison found. A psychiatrist (they were called alienists then) named Dr. Henry R. Stedman visited Jane while she was in jail awaiting trial. He played upon her sense of superiority, which provoked a lengthy and horrifying confession.

Not only did she murder the Davis family, Jane proudly admitted, but she had poisoned dozens more in the previous 20 years, and she named her victims. (Years later she claimed more than a hundred victims.) "They were better off dead," Jane told Stedman. All of her patients were sick, with troubles and worries making a hell of their lives. She solved their problems with morphine and atropine. Then she burst into a hysterical laughter: "Do you know what I want to be, doctor?" Stedman did not reply. Jane, still laughing, answered herself: "I want to go on and on and on. I want to be known as the greatest criminal that ever lived. That is my ambition!"

Jane Toppan's ambitions were stopped short when she was sent to prison for life; her end came at 84 when she died in a Taunton, Massachusetts, insane asylum.

Insurance was also an obsession in the murky mind of Mrs. Amy Archer-Gilligan, who ran a nursing home in Hartford, Connecticut, that was begun in 1907. Mrs. Nellie Pearce, whose brother, Franklin Andrews had died in Mrs. Gilligan's "Archer Home for the Aged," in June 1914, went to the editor of the *Hartford Courant*. "I believe my brother was murdered," blurted Nellie. The *Courant* sent a reporter to interview the motherly-looking, 45-year-old Mrs. Gilligan. The reporter gathered some interesting statistics; anywhere from eight to twelve patients died in the home each year out of a maximum residency of 14 patients. This was an astounding rate when

Continued on Page 16



BURDEN'S BEAT

By ORDWAY P. BURDEN

Police unionism is walking tall; IUPA pushes for 350,000 members

Depending on who's counting, there are between 450,000 and 700,000 law enforcement personnel in the United States. At either figure, that's a whole lot of people — a number calculated to start the adrenalin flowing for any labor organizer.

Why aren't most of them already organized into one or two big unions, as school teachers are by the National Education Association and the American Federation of Teachers, and as other public employees are by the unions that welcome other types of public workers? There are several reasons. Perhaps most important is the fact that many state and local governments are implacably hostile to collective bargaining for police officers and firefighters. Another reason may lie in the great variety of law enforcement jobs. A patrolman in the South Bronx and a sheriff's deputy in rural Arkansas share the same responsibility for law enforcement, but their actual duties and outlooks may differ enormously, making it hard for them to see themselves as brothers with similar concerns and interests.

Without a doubt, though, there is a growing trend toward stronger, bigger unions for police. In the forefront of this trend is the two-year-old International Union of Police Associations (IUPA), which now enrolls 30,000 state, county, and local police in about 170 affiliates.

Scores of other local police associations have joined several other large unions of public employees, as well as a few unions, like the paperworkers and operating engineers, that have nothing to do with public employment. Most notable among the latter type is the International Brotherhood of Teamsters, which claims 20,000 members in law enforcement agencies.

The dual image of the Teamsters as go-for-broke negotiators and as a scandal-ridden union accounts for their appeal to militant police associations and for the fear that many officers and government officials have of them. As an officer in Georgia put it, "Letting the Teamsters represent the police is like letting the fox guard the hen house."

The IUPA, on the other hand, while no less militant than the Teamsters, enjoys membership in the AFL-CIO, with all the benefits of that association. Heading the young police union as president is Edward J. (Big Ed) Kiernan, a 30-year veteran of the New York City police and former president of its Patrolmen's Benevolent Association. Robert D. Gordon, a former police officer in Freeport, N.Y., serves as secretary-treasurer.

The value of membership in the AFL-CIO was graphically demonstrated in 1979 when the fledgling IUPA was only a few months old and one of its affiliates, the Memphis Police Association, was on strike, along with the city's firefighters. The president of Memphis's AFL-CIO labor council threatened to shut the city down "peacefully" if it didn't negotiate with the safety officers, and, to nobody's surprise, a settlement was soon reached. The result made it crystal clear that police and firemen can tap the clout of other unions, including those in the private sector, in fighting for contract demands.

It was also a demonstration of why many government officials resist the unionization of public employees. To allay fears of frequent strikes and epidemics of "blue flu," the IUPA has a no-strike clause in its constitution. "But," said Bob Gordon, "our affiliates are completely autonomous, and if one of them felt they had to strike, we wouldn't suspend them. We would provide whatever help we could give them because we think the governmental body concerned should negotiate in good faith to meet out members' needs." In principle, the IUPA favors binding arbitration to settle contract disputes.

The IUPA has developed an extensive Congressional legislative agenda. Heading its list of desired legislation is a Police Bill of Rights which would extend full constitutional protections to officers during internal investigations in law enforcement agencies. Among other items on the legislative agenda are collective bargaining for all public employees and extending to the survivors of Federal public safety officers the \$50,000 death benefit now available to the families of state and local officers who die in the line of duty.

The legislative committee of the IUPA will meet soon to rethink its priorities in light of the advent of the Reagan Administration. "I'm sure that we'll keep the Police Bill of Rights as our No. 1 priority," Gordon said.

The IUPA was born of a splintering of the International Conference of Police Associations (ICPA) in a 1978 battle over whether to join the AFL-CIO. Ed Kiernan was then president of the ICPA, and when he cast the deciding vote for AFL-CIO affiliation, the breakup was inevitable. Kiernan then led the formation of the new IUPA, which got the formal blessing of the AFL-CIO in February 1979.

The IUPA hopes ultimately to have more than 350,000 law enforcement personnel, ranging from municipal police and correctional officers to college security men, within its fold. That goal appears to be well in the future, but given the growing militancy of many local police associations, not beyond the realm of possibility.

(Ordway P. Burden invites correspondence to his office at 651 Colonial Blvd., Westwood P.O., Washington Twp., NJ 07675.)

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Money makes the drugs go around...

Customs agents say reporting law can dupe dopers

Continued from Page 1

are becoming increasingly "costly to both the government and to the private financial institutions."

Taking the argument further was Irving H. Sprague, chairman of the Federal Deposit Insurance Corporation, who indicated that the law has yet to prove itself as an effective tool.

"In our experience, violations usually have proved to be inadvertent and have resulted from misunderstanding, improper training, human error or operational shortcomings on the part of the banks," Sprague observed.

Agents at the U.S. Customs Service, which serves as the final processing point for information generated by the law, gave a different perspective on the act's effectiveness. Gary Wright of the Reports Analysis Division noted that in addition to providing investigative leads, the law is useful in building court cases against drug defendants.

"The advance of information adds another bit of weight to the prosecution, whether or not the case could be made without it," he told Law Enforcement News. "Occasionally, you get to the point where you have 'x' weight for the defense and 'x' weight for the prosecution, and one or two more pieces of information may tip the scales."

Wright's analysis division is charged with sifting through the thousands of bits of information that are generated as a result of the law. He noted that the IRS

provides computer tapes on all the domestic transactions, while Customs computerizes reported data regarding the transportation of currency and foreign bank accounts. All three are combined into a single data base.

According to the agent, every attempt is made to squeeze from the data whatever criminal leads it may hold. "It's analyzed in all possible ways, imagination being the only limit," he said. "It's collated by state, by area, by source country, by date, by amount, by the principal who is controlling the money — you name it. It's looked at regularly in various ways."

"All these results are collated together to come up with patterns that could be translated into specific targets or likely areas or likely persons or organizations," Wright continued. "It's really a complex procedure as to what is actually done with it and all the processes it goes through to come up with persons or transactions to be investigated."

As a result of the complexity of the process, the Customs analysts have to go beyond the principles of general accounting in their work. Wright noted that they have to have the instincts of a good detective in order to transform data into investigative leads.

"You can use a cold, non-thinking, heartless piece of equipment really only to assemble data to your specifications," the agent said. "When it gets right down to taking the various patterns and put-

ting them together it involves the analysts sitting down and using their grey matter, saying, 'What does this mean?'"

Wright suggested that the human connection is carried through to the field, since the analysts themselves feed the leads directly to investigators and are available to provide further information once the case is underway.

Asked about the impact of the tighter regulations imposed in regard to the transaction reporting act, the agent replied that the influx in data that previously had gone unreported "is fairly insignificant compared to the total size of the data base. At this point, there really hasn't been enough of the new filings to say what it's done or whether it's good or not."

Wright declined to speculate about whether the law could use further tightening, noting that he could make such a prediction only after the effects of the latest changes were examined. "I suppose any law, from an investigator's point of view, can be tightened, but that's a very parochial attitude," he said.

While Wright asserted that enforcement of the transaction act has had a positive effect on the anticrime front, he noted that his agency does not maintain clearance records regarding how many cases were solved as a result of the law.

"We don't consider ourselves a reactive type of investigative program," he observed. "We don't wait for a crime to

happen. We are constantly trying to come up with indications of violations. We try to maintain a proactive stand, constantly looking for violations."

The analysis division does solicit information from the agencies that use the financial information in an attempt to discover how important the data was in building their cases.

"Many times, this information will not initiate an investigation but will become a tremendous value at some point in the probe, whether expanding it, uncovering additional members of an organization, or to prove guilt at trial," he stated.

In all, 15 Federal enforcement agencies have been authorized by the Treasury Department to make use of the data that is cranked out by Wright's division. The agent pointed out that state and local agencies are shut out from direct access to the information because the law states that "this is for Federal law enforcement use."

The California Narcotics Bureau recently benefited from indirect access to the data base. Customs spokesman Ed Kittredge said that a Federal grand jury in Sacramento recently indicted 21 suspects on currency and narcotics violations as the result of a joint probe involving the state agency, U.S. Customs and the Drug Enforcement Administration.

"The investigation focused almost exclusively upon identifying and tracing the unreported movement of illicit narcotic money out of the country," Kittredge said. "By tracing illicit funds, investigators were able to identify the principals in the organization, to include the financier and foreign source or narcotics, trace the illicit funds through offshore trusts, and ultimately, to identify the intended movement of narcotics prior to its entry into the United States."

'You can't go out to play...'

Gates is turned back on mayoral leave

Continued from Page 1

absent from his position for any substantial period of time."

Commissioner Steven Yslas also played down the political angle: "The thing we must make a judgment on is the effect of the absence of the chief. We're facing difficult issues — the amount of crime, the consent decree on affirmative action."

Commenting on the crime rise, an LAPD spokesman told Law Enforcement News that as of December 19, homicides were up in the city by 26.5 percent, forc-

ible rapes jumped 7.2 percent, robbery climbed 24.8 percent, aggravated assault was up 6.1 percent and burglary rose 14.6 percent.

Whatever his future political intentions may be, Gates is already on the case of the crime rise. "We put together a task force of undercover police officers who are assigned to specific outer areas in the city where crime is most prevalent, and they're working 24 hours, around the clock," the department spokesman said. "We're giving a warning to all criminals out there: 'Be careful of the victim you're taking on because he might be an undercover police officer.'"

Adding to the chief's headaches is a police manpower shortage that was brought on by a hiring discrimination suit filed by the Justice Department. "It's my understanding that we're some 500 people under our authorized strength right now, which should be 7,000," Commander Jack D. White noted, pointing out that hiring has begun under "a court-ordered goals program."

White, who heads the administrative staff for the Board of Police Commissioners, told Law Enforcement News that Gates recently submitted to both the board and the mayor a plan designed to improve the anticrime picture. "Basically, they're ways to increase manpower — to make better use of what we have and find additional manpower."

Meanwhile, the commission is drafting crimefighting measures of its own to stem the rising tide of violence. "The commission will contribute to the citywide plan," White said. "The mayor is currently soliciting views from each of the portions of the department, trying to figure out which recommendations can best tackle the problem."

Apparently, no legal obstacles exist that would prevent Gates from tackling Bradley in a mayoral race. City Attorney



Chief Daryl Gates

The man who would be mayor?

Burt Pines told the Times last month that based on his staff's research, Gates would be free to run while serving as chief.

"Our preliminary view is that the commission could not prevent the chief from running for office," the attorney noted. "He has a constitutional right to run for office as does any other citizen or city employee."

But Pines pointed out that Gates would be prohibited from campaigning on city time, noting that he would have to submit time sheets logging how he spends his work week.

Before he was denied a leave of absence, Gates told reporters that it would be practically impossible to run for mayor and function as chief because he currently spends 14 to 16 hours a day on the job, and such a pace would leave him no time to campaign.

Gates has accumulated four months of vacation leave, but Pines said a chief cannot take the time in one lump without the commission's approval.

Arson watchers find LEAA pipeline dry

Continued from Page 3

Jones said "We maintain a watch to identify potential problems. We do not specifically patrol the area to catch arsonists, although we would certainly try to catch them and identify them to the authorities if we could."

David Scondras, a consultant on fire and arson prevention with the Massachusetts Attorney General's Office, observed that programs similar to the one proposed by Fair Share have been successful in three Boston communities.

"In the city as a whole, proven arson cases have increased by 27 percent," he said. "In the three neighborhoods that have an active program, there has been a 43 percent decrease."

An earlier arson-watch effort, organized in 1975 in Boston's Back Bay district, has reportedly resulted in the apprehension, trial and conviction of a number of individuals on charges of arson for profit, and the passage of state legislation that created harsher penalties for anyone convicted of such a crime.

Meanwhile, the battle of Boston for the last remaining drops of LEAA's financial lifeline appears to be fizzling out. Boston officials are reportedly avoiding further discussions on the matter with the Fair Share leaders, who may be hard put to take further action since LEAA soon will no longer exist as a funding entity.

UPCOMING EVENTS

FEBRUARY

2-6 Hostage Rescue Operations Course. To be held in San Francisco, California, by the International Association of Chiefs of Police. For more details, contact: IACP 11 Firstfield Road, Gaithersburg, MD 20760.

2-6 Advanced Firearms Course. Presented by Smith & Wesson Academy. Fee: \$375. For more information, contact: Smith & Wesson Academy, 2100 Roosevelt Avenue, Springfield, MA 01101.

2-12 Traffic Homicide Investigation Course. Presented by Lake County Area Vocational & Technical Center. For further information, contact: Kenneth A. Bragg, Director, 2001 Kurt Street, Eustis, FL 32726.

2-13 First-Line Supervisory Training Course. Presented by the Florida Institute for Law Enforcement. Fee: \$150. For more information, contact: Florida Institute for Law Enforcement, P.O. Box 13489, St. Petersburg, FL 33733.

3-5 Police Stress Course. Presented by Harper & Row Media. To be held in St. Petersburg, Florida. Fee: \$325. For more information, contact: Harper & Row Criminal Justice Department, 10 East 53rd Street, New York, NY 10022.

4-6 Funding Sources for Law Enforcement. A workshop sponsored by the Institute of Police Traffic Management, to be held in Jacksonville, Florida. Tuition: \$195. For further information, contact: Institute of Police Traffic Management, University of North Florida, 4567 St. John's Bluff Road South, Jacksonville, FL 32216.

5-6 Juvenile Officers Seminar. Presented by the Criminal Justice Center of John Jay College. To be held in New York City. For further information, contact: Ms. Barbara Natow, Criminal Justice Center, Room 2203, 444 W. 56th Street, N.Y. NY 10019. Telephone: (212) 247-1600.

5-7 Crime Prevention Seminar. Presented by the Harper & Row Criminal Justice Department. To be held in San Diego, California. Tuition: \$325. For more information, consult: February 3-5.

9-13 Crisis Intervention and Police Stress. Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$350. For further information, contact: Law Enforcement Institute, University of Maryland, University College, Conferences and Institutes Program, University Blvd. and Adelphi Road, College Park, MD 20742. Telephone: (301) 454-5297.

9-13 Methods of Instruction & Program Design Course. Presented by the Transportation Safety Training Center. To be held in Rhamoke, Virginia. For more details, contact: Transportation Safety Training Center, Virginia Commonwealth University, 816 W. Franklin Street, Richmond, VA 23284. Telephone: (804) 257-6235.

9-13 Firearms Instructor Course. Presented by Smith & Wesson Academy. Tuition: \$425. For more details, see: February 2-6.

9-13 Police Budget Workshop. Presented by the Institute of Police Traffic Management. Fee: \$250. For more information, consult: February 4-6.

14-March 14, Law Enforcement Reserve, Level II. Presented by the Regional Criminal Justice Training Center. For more details, contact: Yosemite Community College District, P.O. Box 4065, Modesto, CA 95352.

16-18 Police Productivity Improvement Seminar. Presented by the Traffic Institute. Fee: \$270. For more details, contact: The Traffic Institute, 555 Clark Street, Evanston, IL 60204.

17-20 Annual Meeting of the American Academy of Forensic Sciences. To be held at the Los Angeles Hilton. Features scientific papers, seminars, workshops and special events. For more details, contact: Ms. Penny Stanley, The American Academy of Forensic Sciences, 225 S. Academy Blvd. No. 201, Colorado Springs, CO 80910. Telephone: (303) 596-8006.

18-20 Workshop on Computer Crime Investigation. Sponsored by Assets Protection Journal. To be held in San Francisco. Fee: \$575. For more details, contact: Paul Shaw, Assets Protection Journal, 500 Sutter Street, Suite 603, San Francisco, CA 94102.

23-25 Effective Communication for Police Administrators. Presented by the Institute of Police Traffic Management. Fee: \$190. For further information, see: February 4-6.

23-26 Computer Related Crime: Training Workshop for Prevention, Detection, Investigation and Prosecution. Sponsored by the U.S. Department of Justice in conjunction with Koba Associates. For further information, contact: Ms. Janet Schlichting, Koba Associates, Inc., 200 Florida Avenue, N.W. Washington, D.C. 20009.

23-27 Management of Police Training Programs. To be held in San Antonio, Texas, by the International Association of Chiefs of Police. For more details, see: February 2-6.

23-27 Robbery and Burglary Control Workshop. Presented by the Traffic Institute. Fee: \$340. For more information, consult: February 16-18.

23-March 5 Police Officer Procedures & Techniques Course. Presented by Lake County Area Vocational & Technical Center. For more details, see: February 2-12.

25-26 Organized Crime Seminar. Presented by the Criminal Justice Center of John Jay College. To be held in New York City. For further information, consult: February 5-6.

26-March 1 Eighth Annual Conference of the Western Society of Criminology. To be held at the Bahia Hotel, San Diego, California. For further information, contact: Dr. Janet Schmidt, Program Chair, Department of Sociology, San Diego State University, San Diego, CA 92182.

27-28 Security Certified Protection Professional Review Course. Presented by Northern Virginia Community College. Fee: \$100. For more details, contact: Northern Virginia Community College, Woodbridge Campus, 15200 Smoketown Road, Woodbridge VA 22191. Telephone: (703) 670-2191.

MARCH

2-13 Advanced Accident Investigation Course. Presented by the Transportation Safety Training Center. To be held in Hampton, Virginia. For more details, contact: Transportation Safety Training Center, Virginia Commonwealth University, 816 W. Franklin Street, Richmond, VA 23284. Telephone: (804) 257-6235.

2-13 Police Traffic Services Supervision. Presented by the Traffic Institute. Fee: \$500. For more details, see: February 16-18.

2-6 Breathalyzer Course. Presented by Smith & Wesson Academy. Tuition: \$425. For more details, see: February 2-6.

2-13 Advanced Accident Investigation Course. Presented by the Institute of Police Traffic Management. Fee: \$395. For more details, consult: February 4-6.

8-12 Eighth National Conference on Juvenile Justice. Sponsored by the National Council of Juvenile and Family Court Judges and the National District Attorneys Association. To be held in Atlanta, Georgia. For more details, contact: National Council of Juvenile and Family Court Judges, P.O. Box 8978, University of Nevada, Reno, NV 89507.

9-20 Instructor Training for Police. Presented by the Institute of Police Traffic Management. Fee: \$395. For more details,

see: February 4-6.

11-14 Annual Meeting of the Academy of Criminal Justice Sciences. To be held in Philadelphia at the Franklin Plaza Hotel. For additional details, write or call: Dr. Dorothy H. Barry, Criminal Justice Center, 414 West 56th Street, New York, NY 10019. Telephone: (212) 247-1600.

12 Academy of Security Educators and Trainers Annual Meeting. To be held in Philadelphia. For further information, contact: Norman R. Bottom Jr., Criminal Justice Department, IUP, Indiana, PA 15705. Telephone: (412) 357-2720.

16-20 Contemporary Issues in Police Administration. Presented by the Southwestern Law Enforcement Institute. For more details, consult: Cindie J. Burkot, Southwestern Legal Foundation, P.O. Box 707, Richardson, TX 75080.

16-April 30 Crime Prevention Theory, Practice & Management Seminar. Presented by the National Crime Prevention Institute. Tuition: \$750. For more details, contact: Admissions Coordinator, National Crime Prevention Institute, School of Justice Administration, University of Louisville, Louisville, KY 40292. Telephone: (502) 588-6987.

23-25 Legal Aspects of Private Security Conference. Sponsored by the Anderson

Publishing company. Fee: \$275. For more information, call or write: Conference Administration, Anderson Publishing Co., 116 Main Street, Cincinnati, OH 45201. Telephone: (513) 121-4112.

21-25 Stress Management in Law Enforcement. Presented by the Traffic Institute. Fee: \$280. For further information, consult: February 16-18.

23-26 Computer-Related Crime: Training Workshop for Prevention, Detection, Investigation, and Prosecution. Sponsored by the U.S. Department of Justice in conjunction with Koba Associates. For further information, contact: Ms. Janet Schlichting, Koba Associates, Inc., 200 Florida Avenue, N.W. Washington, D.C. 20009.

23-26 The Civil and Vicarious Liability of the Police. To be held in Atlanta, Georgia, by the International Association of Chiefs of Police. For more details, consult: February 2-6.

23-27 Basic/Intermediate Firearms Course. Presented by Smith & Wesson Academy. Tuition: \$300. For more details, consult: February 2-6.

23-27 Jail Operations Course. Presented by the Regional Criminal Justice Training Center. For more details, consult: February 14-March 11.

23-27 Police Instructor Techniques Course. Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, see: February 2-13.

23-April 2 Case Preparation & Court Presentation Course. Presented by Lake

County Area Vocational & Technical Center. For more details, see: February 2-12.

21-27 Homicide Course. Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$335. For more details, see: February 9-13.

25-26 Hostage Extraction Seminar. Presented by the Criminal Justice Center of John Jay College. To be held in New York City. For more details, see: February 5-6.

25-27 Workshop on Computer Crime Investigation. Sponsored by Assets Protection Journal. To be held in Washington, D.C. Fee: \$575. For more details, consult: February 18-20.

Correction

Due to a typographical error, the salary range for one of the position openings on last issue's job page was incorrectly stated. The salary for the Director of Court Services for Elkhart County, Indiana ranges from \$26,172 to \$29,724 annually. For additional information, write: Elkhart County Personnel, 117 N. 3rd St., Goshen, IN 46526.

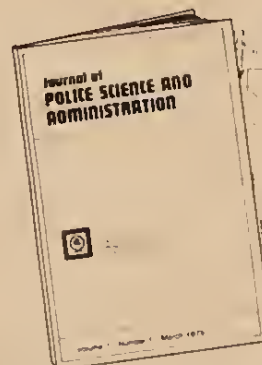


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Police Products

Items about new or modified products are based on news releases and/or other information received from the manufacturer or distributor of the item. Nothing contained below implies the endorsement of Law Enforcement News.

CAR SHIELD — CCS Communication Control, Inc. has introduced a do-it-yourself bulletproofing kit for vehicles, designed so that police maintenance units can quickly and easily remodel patrol cars to be completely bulletproof.

Consisting of sheets of bulletproof fabric and glass, the kit comes with simple instructions that inform the user how to replace existing parts with the stronger material. A mid-sized car can be reconstructed within several hours.

While CCS is a major supplier of ready-to-roll bullet-proof vehicles, it is promoting the do-it-yourself nature of the kit as a breakthrough in the field. The manufacturer noted that the parts packaged does away with the need for transporting a finished bulletproof vehicle to the buyer, and that the user is customizing his own car so he can choose to include or delete any portion of the apparatus.

Engineered to be a fraction of the weight of normal bulletproofing materials, the materials supplied with the product have been shown to stop all handgun and most high-powered machine gun projectiles.

Additional information about the kit can be obtained from: CCS Communication Control, Inc., 633 Third Avenue, New York, NY 10017. Telephone: (212) 697-8140.

DATA POWER — BEST Inc. is producing a line of moderately priced, emergency power systems that can be hooked to computers to protect their memories during electrical outages.

Six models are included in the new SPS line. All are equipped with automatic battery chargers and a "quick switch," which cuts the transfer time from line power to the inverter/battery to 20

milliseconds or less.

Other features of the units are crystal-controlled frequency at either 60 or 50 Hz, a set-up that is said to provide high efficiency and precise regulation of power. Quick plug-in or optional direct wiring is available, all with a full-year parts and labor warranty.

The SPS models come complete with either an internal 5-amp battery charger or an external 25-amp charger. The power packs are always kept charged while the line power is operating, and when line power is restored after an outage, the batteries are recharged either at the 5-amp or the 25-amp rate. Auxiliary batteries are available to keep AC equipment going for up to 24 hours or more.

For a free catalog describing the entire BEST line, contact: Best Energy Systems for Tomorrow, Inc., P.O. Box 280, Necedah, WI 54646. Telephone: (608) 565-7200.

MINI-TELE — The VM 520 Service Monitor is engineered to allow technicians to check closed-circuit security systems in areas where power is not readily available.

Featuring all solid-state circuitry, the



unit has a 4.5" viewing screen, and three 75-ohm inputs that allow the device to be plugged into UHF and VHF sources

through BNC and F-type connectors. In addition, the monitor can receive broadcast UHF and VHF signals.

The VM 520 can be powered by its integral, rechargeable NiCad battery or by an external source of either 12 VDC or 117 VAC. An optional carrying case is available to protect the device against rough handling.

To obtain additional information, write or call: Visual Methods, Inc., 35 Charles Street, Westwood, NJ 07675. Telephone: (201) 666-3950.

WALKING TALL — Developed for community presentation in elementary schools, "All About Pedestrian Safety" is an animated, 10-minute film that can help police educate children about the dangers of pedestrian traffic accidents.

Based on the adventures of an eight-year-old child who meets an extraterrestrial robot named Toby, the movie introduces the concept of pedestrian responsibility in traffic situations, pointing out pedestrian hazards and teaching the youngsters how to respond to them properly.

In the animated fantasy, Toby has been sent to Earth as a representative of people from the year 6000 A.D. who have lost the ability to walk. The child guides the robot back to locomotion, instructing him how to walk safely.

Available for sale or rent in 16mm and videocassette formats, the color/sound presentation can be ordered from: Harper & Row Criminal Justice Media, Customer Service, 2350 Virginia Avenue, Hagerstown, MD 21740.

Outlook not sunny for SUNY as LEAA funds take a walk

Continued from Page 3

themselves suddenly without the fellowship support necessary for continuing their educational pursuits," said LEAA administrator Homer F. Broome Jr. "Their personal losses will translate into a much broader, long-range loss to the nation's criminal justice system."

Broome also had kind words for the research portion of the SUNY project, describing the nine-part monograph series as "the most extensive literature search to date in the area of minorities and criminal justice."

Despite Broome's endorsement of the fellowship effort, which he said "has led to the largest concentration of minority candidates for the Ph.D. in criminal justice in the nation," Newman has

found that the private funding route is marked with potholes. It is a situation, he said, that many other administrators may face as they are confronted with the loss of LEAA funding.

"We're trying, man," he said of the fund-raising effort. "We've acquired personal research grants, and we've approached various private foundations. We may get little hunks here and there."

"Without naming the foundation, we found one foundation that was interested in minority women," the dean continued. "Well, I'll take those bucks because some of our students are women, but it's not very much. In general, we're searching wherever we can. So that's where we are."

Newman believes that the Justice Department's abandonment of LEAA will have a pronounced impact on the agency's affirmative action stance, particularly in the area covered by his effort.

In court actions throughout the nation, Justice Department attorneys have been swooping down on police departments in an attempt to get them to promote more blacks and Hispanics to key positions. Newman pointed out that one of the purposes of his fellowship effort was to educate minorities in order to qualify them to fill those key slots. "It's the most successful program they've had," he asserted. "We were not talking about entry-level minorities; we're talking about highly trained people — middle management and above."

It is unlikely that the fellowship students can pick up their own educational tab. "None of them come from wealthy backgrounds," the program director said. "They're just sort of in the wind. We're going to try to pick them up on university funds. We've picked up some on university fellowships, but we can't handle them all."

As Newman scrambles to assemble the money needed to keep his program afloat, he's also worrying about the funding cut's effect on affirmative action at SUNY. "I have more black students [in the School of Criminal Justice] than the Afro-American Studies Department," he observed.

But the dean refused to point a finger of blame at President Carter or Congress for the money shortage, noting that the cuts were "inadvertent." Newman's programs had been funded by the Office of Criminal Justice Training and Education (OCJET), and when LEAA sank, it took the subdivision down with it.

'They were better off dead...'

Poisoners commit murder by kindness

Continued from Page 13

compared with the state-operated Old People's Home in Hartford where there had been 48 deaths in the past four years.

At the newspaper's urging, local police placed an undercover policewoman in the home, and when Mrs. Amy Hosmer died in convulsions on November 11, 1914, the undercover cop reported the death, adding that Mrs. Gilligan had personally nursed the deceased woman. (A doctor stated the woman died from apoplexy.) Mrs. Alice Gowdy died soon after, also in strange paroxysms of pain. Authorities secretly exhumed the bodies of these two women, along with several other patients, including Michael Gilligan, a patient Mrs. Gilligan had married three years earlier and who also died mysteriously. Arsenic was found in all the bodies. Mrs. Gilligan was promptly arrested and tried. It was pointed out that she had collected not only all the worldly goods and savings of her patients as payment for being "nursed for life," but all the insurance monies her charges left after she had methodically poisoned them. Oddly enough, the arsenic used to kill her patients was, at Mrs. Gilligan's instructions, purchased by her own victims who ran errands for her.

Mrs. Gilligan was convicted of murder and sent to prison for life, and later transferred to an insane asylum where she died. What started Mrs. Gilligan's downfall in her murderous nursing career, and what aroused Nellie Pearce's suspicions, was the fact that the kindly Mrs. Gilligan

had written to Mrs. Gowdy, a friend of Mrs. Pearce's: "There will be a vacancy in a few days." Two days later Franklin Andrews died.

With Viennese-born Frederick Mors, the murdering of patients was simply a "kindness" he extended in his warped logic of helping the elderly into another world. Working as a nurse's aide in a Bronx, New York, home for the elderly, Mors chloroformed 17 patients to death from August 9, 1914, to January 4, 1915, before his homicidal nursing was detected. Mors was sent to the Matteawan State Prison for the Criminally Insane but escaped a decade later; he was never seen again.

Miss Dorothea Waddingham was much in the same mold as the calculating Mrs. Gilligan. Not a qualified nurse, Miss Waddingham ran an old people's home in Nottingham, England. When one of her patients, Miss Ada Bagueley, died on September 11, 1935, Nurse Waddingham called in a doctor, who, like most physicians was inclined to respond to the symptoms described by the attending nurse and was thereby easily duped. The doctor certified that Miss Bagueley had died of a cerebral hemorrhage.

All would have gone well for Nurse Waddingham had she not added a highly suspicious note sending the body to the morgue. The note, read by Dr. Cyril Banks, the Medical Officer of Health, had been purportedly written by Miss

Bagueley on August 29, 1935, eleven days before her death. It read: "I desire to be cremated at my death for health's sake and it is by wish to remain with Nurse (Waddingham) until I die. It is my final wish that my relatives shall not know of my death."

Dr. Banks studied the note, its letters crammed into a tiny writing area, then took the suspicious document to the coroner who promptly ordered the body examined. Massive amounts of morphine were found. Further, Miss Bagueley's 87-year-old mother, who had left property worth 1,600 pounds to Nurse Waddingham, had died in the nurse's care in May. Her body, too, yielded great amounts of morphine. Miss Waddingham was arrested and tried for the murder of Ada Bagueley. She was quickly convicted and executed, one of the few women to be hanged in England in this century. (Oddly enough, this killer of perhaps a dozen or more, would have escaped death today in that poisoning is no longer a capital crime in Britain.)

The nurse as killer was aptly described by one crime historian, who depicted these demonic creatures, particularly women nurses, as poisoning "like stray animals the old people who had entrusted their lives to the care of these female monsters masquerading as angels of mercy."

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